



**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1997 ASSEMBLY BILL 100**

September 4, 1997 – Offered by Representatives BRANCEL, FOTI and JENSEN.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 3, line 1: before that line insert:

3 **“SECTION 1am.** 5.01 (4) (a) of the statutes is amended to read:

4 5.01 (4) (a) If 2 or more candidates for the same office receive the greatest, but
5 an equal number of votes, the winner shall be chosen by lot in the presence of the
6 board of canvassers charged with the responsibility to determine the election, except
7 as provided in s. 8.17 (4) (b), or in the case of an election for state or national office
8 or municipal judge, if the judge is elected under s. 755.01 (4), or metropolitan
9 sewerage commissioner, if the commissioner is elected under s. 66.23 (11) (am), in the
10 presence of the chairperson of the board.

11 **SECTION 1amt.** 6.95 of the statutes is amended to read:

1 **6.95 Voting procedure for challenged electors.** Whenever the inspectors
2 under ss. 6.92 to 6.94 receive the vote of a person offering to vote who has been
3 challenged, they shall give the elector a ballot. Before depositing the ballot, the
4 inspectors shall write on the back of the ballot the serial number of the challenged
5 person corresponding to the number kept at the election on the registration or poll
6 list, or other list maintained under s. 6.79. If voting machines are used in the
7 municipality where the person is voting, the person's vote may be received only upon
8 an absentee ballot furnished by the municipal clerk which shall have the
9 corresponding serial number from the registration or poll list or other list
10 maintained under s. 6.79 written on the back of the ballot before the ballot is
11 deposited. The inspectors shall indicate on the list the reason for the challenge. The
12 challenged ballots shall be counted under s. 5.85 or 7.51. The municipal board of
13 canvassers may decide any challenge when making its canvass under s. 7.53. If the
14 returns are reported under s. 7.60, a challenge may be reviewed by the county board
15 of canvassers. If the returns are reported under s. 7.70, a challenge may be reviewed
16 by the chairperson of the board of state canvassers. The decision of the any board
17 of canvassers or of the chairperson may be appealed under s. 9.01. The standard for
18 disqualification specified in s. 6.325 shall be used to determine the validity of
19 challenged ballots.

20 **SECTION 1n.** 7.70 (3) (a) of the statutes is amended to read:

21 7.70 (3) (a) The chairperson of the board of state canvassers shall meet publicly
22 canvass the returns and make his or her certifications and determinations at the
23 state capitol or at the office of the elections board on or before the 2nd Tuesday
24 following a spring primary, the 15th day of May following a spring election, the 4th
25 Tuesday in September following a September primary, the first day of December

1 following a general election, the 2nd Thursday following a special primary, or within
2 18 days after any special election to canvass the returns and determine the election
3 results.

4 **SECTION 1na.** 7.70 (3) (b) of the statutes is amended to read:

5 7.70 (3) (b) The chairperson of the board of state canvassers shall examine the
6 certified statements of the county boards of canvassers. If it appears that any
7 material mistake has been made in the computation of votes, or any county board of
8 canvassers failed to canvass the votes or omitted votes from any ward or election
9 district in the county, the chairperson of the board of state canvassers may dispatch
10 a messenger to the county clerk with written instructions to certify the facts
11 concerning the mistake or the reason why the votes were not canvassed. A clerk to
12 whom such instructions are delivered shall immediately make a true and full
13 answer, sign it, affix the county seal and deliver it to the messenger. The messenger
14 shall deliver it with all possible dispatch to the elections board.

15 **SECTION 1p.** 7.70 (3) (c) of the statutes is amended to read:

16 7.70 (3) (c) The chairperson of the board of state canvassers may adjourn as
17 necessary but not more than shall conclude the state canvass within 10 days in all
18 after its commencement.

19 **SECTION 1q.** 7.70 (3) (d) of the statutes is amended to read:

20 7.70 (3) (d) When the certified statements and returns are received, the
21 chairperson of the board of state canvassers shall proceed to examine and make a
22 statement of the total number of votes cast at any election for the offices involved in
23 the election for president and vice president; a statement for each of the offices of
24 governor, lieutenant governor, if a primary, and a joint statement for the offices of
25 governor and lieutenant governor, if a general election; a statement for each of the

1 offices of secretary of state, state treasurer, attorney general, and state
2 superintendent; for U.S. senator; representative in congress for each congressional
3 district; the state legislature; justice; court of appeals judge; circuit judge; district
4 attorney; municipal judge, if he or she is elected under s. 755.01 (4); metropolitan
5 sewerage commission, if the commissioners are elected under s. 66.23 (11) (am); and
6 for any referenda questions submitted by the legislature.

7 **SECTION 1r.** 7.70 (3) (e) (intro.) of the statutes is amended to read:

8 7.70 (3) (e) (intro.) The chairperson of the board of state canvassers shall make
9 a special statement to the elections board as soon as possible after the canvass
10 certifying:

11 **SECTION 1s.** 7.70 (3) (g) of the statutes is amended to read:

12 7.70 (3) (g) Following each primary election, the chairperson of the board of
13 state canvassers shall prepare a statement certifying the results of the primary,
14 which shall indicate the names of the persons who have won nomination to any state
15 or national office. Following each other election, the chairperson of the board of state
16 canvassers shall prepare a statement certifying the results of the election and shall
17 attach to the statement a certificate of determination which shall indicate the names
18 of persons who have been elected to any state or national office. The chairperson of
19 the board of state canvassers shall likewise prepare a statement and certificate for
20 any statewide referendum. The chairperson of the board of state canvassers shall
21 deliver each statement and determination to the elections board.

22 **SECTION 1t.** 7.70 (3) (h) of the statutes is amended to read:

23 7.70 (3) (h) Whenever a referendum question submitted to a vote of the people
24 is approved, the elections board shall record it and the secretary of state shall have
25 the record bound in the volume containing the original enrolled laws passed at the

1 next succeeding session of the legislature and have the record published with the
2 laws thereof. Whenever a constitutional amendment or other statewide validating
3 or ratifying referendum question which is approved by the people does not expressly
4 state the date of effectiveness, it shall become effective at the time the chairperson
5 of the board of state canvassers certifies that the amendment or referendum question
6 is approved.

7 **SECTION 1u.** 7.70 (3) (i) of the statutes is amended to read:

8 7.70 (3) (i) The chairperson of the board of state canvassers shall canvass only
9 regular returns made by the county board of canvassers and shall not count or
10 canvass any additional or supplemental returns or statements made by the county
11 board or any other board or person. The chairperson of the board of state canvassers
12 shall not count or canvass any statement or return which has been made by the
13 county board of canvassers at any other time than that provided in s. 7.60. This
14 provision does not apply to any return made subsequent to a recount under s. 9.01,
15 when the return is accepted in lieu of any prior return from the same county for the
16 same office; or to a statement given to the chairperson of the board of state canvassers
17 or a messenger sent by it the chairperson to obtain a correction.

18 **SECTION 1v.** 7.70 (5) (a) of the statutes is amended to read:

19 7.70 (5) (a) The ~~elections~~ board shall record in its office each certified statement
20 and determination made by the chairperson of the board of state canvassers.
21 Immediately after the expiration of the time allowed to file a petition for recount, it
22 the board shall make and transmit to each person declared elected a certificate of
23 election under the seal of the elections board. It shall also prepare similar
24 certificates, attested by the executive director of the elections board, addressed to the
25 U.S. house of representatives, stating the names of those persons elected as

1 representatives to the congress from this state. In the case of U.S. senators, the
2 board shall prepare a certificate of election for the governor's signature, and the
3 governor shall sign and affix the great seal of the state and transmit the certificate
4 to the president of the U.S. senate. The certificate shall be countersigned by the
5 secretary of state. If a person elected was elected to fill a vacancy, the certificate shall
6 so state. When a valid petition for recount is filed, the elections chairperson of the
7 board may not certify a nomination, and the governor or elections board may not
8 issue a certificate of election until the recount has been completed and the time
9 allowed for filing an appeal has passed, or if appealed until the appeal is decided.

10 **SECTION 1w.** 9.01 (1) (a) of the statutes is amended to read:

11 9.01 (1) (a) Any candidate voted for at any election or any elector who voted
12 upon any referendum question at any election may request a recount. The petitioner
13 shall file a verified petition or petitions accompanied by the fee prescribed in par.
14 (ag), if any, with the proper clerk or body under par. (ar) not earlier than the time of
15 completion of the canvass and not later than 5 p.m. on the 3rd business day following
16 the last meeting day of the municipal or county board of canvassers determining the
17 election for that office or on that referendum question or, if more than one board of
18 canvassers makes the determination not later than 5 p.m. on the 3rd business day
19 following the last meeting day of the last board of canvassers which makes a
20 determination. If the chairperson of the board of ~~state~~ canvassers makes the
21 determination for the office or the referendum question, the petitioner shall file the
22 petition not earlier than the last meeting day of the last county board of canvassers
23 to make a statement in the election or referendum and not later than 5 p.m. on the
24 3rd business day following the day on which the elections board receives the last
25 statement from a county board of canvassers for the election or referendum. Each

1 verified petition shall state that at the election the petitioner was a candidate for the
2 office in question or that he or she voted on the referendum question in issue; that
3 the petitioner is informed and believes that a mistake or fraud has been committed
4 in a specified ward or municipality in the counting and return of the votes cast for
5 the office or upon the question; or shall specify any other defect, irregularity or
6 illegality in the conduct of the election. The petition shall specify each ward, or each
7 municipality where no wards exist, in which a recount is desired. If a recount is
8 requested for all wards within a jurisdiction, each ward need not be specified. The
9 petition may be amended to include information discovered as a result of the
10 investigation of the board of canvassers or chairperson of the board after the filing
11 of the petition, if the petitioner moves to amend the petition as soon as possible after
12 the petitioner discovered or reasonably should have discovered the information
13 which is the subject of the amendment and the petitioner was unable to include
14 information in the original petition.

15 **SECTION 1x.** 9.01 (1) (ar) 3. of the statutes is amended to read:

16 9.01 (1) (ar) 3. Upon receipt of a valid petition, the clerk shall thereupon notify
17 the proper board of canvassers. Upon receipt of a valid petition by the elections
18 board, the board shall promptly by certified mail or other expeditious means order
19 the proper county boards of canvassers to commence the recount. County boards of
20 canvassers shall convene no later than 9 a.m. on the day following receipt of an order
21 and may adjourn for not more than one day at a time until the recount is completed
22 in the county, except that the ~~elections~~ board may permit extension of the time for
23 adjournment. Returns from a recount ordered by the ~~elections~~ board shall be
24 transmitted to the office of the board as soon as possible, but in no case later than
25 13 days from the date of the order of the board directing the recount. The chairperson

1 ~~of the board of state canvassers~~ may not make a determination in any election if a
2 recount is pending before any county board of canvassers in that election. The
3 chairperson of the board of state canvassers need not recount actual ballots, but shall
4 verify the returns of the county boards of canvassers in making ~~its~~ his or her
5 determinations.

6 **SECTION 1y.** 9.01 (5) (a) of the statutes is amended to read:

7 9.01 (5) (a) The board of canvassers or the chairperson of the board shall keep
8 complete minutes of all ~~its~~ proceedings before the board of canvassers or chairperson.
9 The minutes shall include a record of objections and offers of evidence. If the board
10 of canvassers or chairperson receives exhibits from any party, ~~it~~ the board of
11 canvassers or chairperson shall number and preserve the exhibits. The board of
12 canvassers or chairperson shall make specific findings of fact with respect to any
13 irregularity raised in the petition or discovered during the recount. Any member of
14 the board of canvassers or the chairperson may administer oaths, certify official acts
15 and issue subpoenas for purposes of this section. Witness fees shall be paid by the
16 county. In the case of proceedings before the chairperson of the board of state
17 ~~canvassers~~, witness fees shall be paid by the elections board.

18 **SECTION 1z.** 9.01 (5) (c) of the statutes is amended to read:

19 9.01 (5) (c) If the recount is made by a municipal or county board of canvassers
20 and the result is required to be reported to a county board of canvassers or to the
21 chairperson of the board of state canvassers, the board of canvassers making the
22 initial recount shall immediately certify the results to the county board of canvassers
23 or to the chairperson of the board of state canvassers. If a county board of canvassers
24 receives such results, it shall then convene not later than 9 a.m. on the next business
25 day following receipt to examine the returns and determine the results. If the

1 chairperson of the board of state canvassers receives such results, it the chairperson
2 shall convene publicly examine the returns and determine the results not later than
3 9 a.m. on the 3rd business day following receipt to ~~examine the returns and~~
4 ~~determine the results~~, but if that day is earlier than the latest meeting day permitted
5 for that election under s. 7.70 (3) (a), the chairperson of the board of state canvassers
6 ~~may convene~~ may examine the returns and determine the results not later than the
7 day specified in s. 7.70 (3) (a).

8 **SECTION 1za.** 9.01 (6) (a) of the statutes is amended to read:

9 9.01 **(6)** (a) Within 5 business days after completion of the recount
10 determination by the board of canvassers in all counties concerned, or within 5
11 business days after completion of the recount determination by the chairperson of
12 the board of state canvassers whenever a determination is made by ~~that body~~ the
13 chairperson, any candidate, or any elector when for a referendum, aggrieved by the
14 recount may appeal to circuit court. The appeal shall commence by serving a written
15 notice of appeal on the other candidates and persons who filed a written notice of
16 appearance before each board of canvassers whose decision is appealed, or in the case
17 of a statewide recount, before the chairperson of the board of state canvassers. The
18 appellant shall also serve notice on the ~~elections~~ board if the chairperson of the board
19 ~~of state canvassers~~ is responsible for determining the election. The appellant shall
20 serve the notice by certified mail or in person. The appellant shall file the notice with
21 the clerk of circuit court together with an undertaking and surety in the amount
22 approved by the court, conditioned upon the payment of all costs taxed against the
23 appellant.

24 **SECTION 1zc.** 9.01 (8) of the statutes is amended to read:

1 9.01 (8) SCOPE OF REVIEW. Unless the court finds a ground for setting aside or
2 modifying the determination of the board of canvassers or chairperson of the board,
3 it shall affirm the determination. The court shall separately treat disputed issues
4 of procedure, interpretations of law and findings of fact. The court may not receive
5 evidence not offered to the board of canvassers or chairperson except for evidence
6 that was unavailable to a party exercising due diligence at the time of the recount
7 or newly discovered evidence that could not with due diligence have been obtained
8 during the recount, and except that the court may receive evidence not offered at an
9 earlier time because a party was not represented by counsel in all or part of a recount
10 proceeding. A party who fails to object or fails to offer evidence of a defect or
11 irregularity during the recount waives the right to object or offer evidence before the
12 court except in the case of evidence that was unavailable to a party exercising due
13 diligence at the time of the recount or newly discovered evidence that could not with
14 due diligence have been obtained during the recount or evidence received by the
15 court due to unavailability of counsel during the recount. The court shall set aside
16 or modify the determination if it finds that the board of canvassers or chairperson
17 has erroneously interpreted a provision of law and a correct interpretation compels
18 a particular action. If the determination depends on any fact found by the board of
19 canvassers or chairperson, the court may not substitute its judgment for that of the
20 board of canvassers or chairperson as to the weight of the evidence on any disputed
21 finding of fact. The court shall set aside the determination if it finds that the
22 determination depends on any finding of fact that is not supported by substantial
23 evidence.”.

24 **2.** Page 3, line 1: before that line insert:

1 **“SECTION 1ami.** 5.085 of the statutes is repealed.

2 **SECTION 1m.** 7.08 (3) (a) of the statutes is amended to read:

3 7.08 (3) (a) Be compiled by the board, ~~with the advice of the elections advisory~~
4 ~~council.~~”.

5 **3.** Page 3, line 1: before that line insert:

6 **“SECTION 1an.** 7.03 (1) (bm) of the statutes is amended to read:

7 7.03 (1) (bm) Whenever a special election is called by a county or by a school
8 district, a technical college district, a sewerage district, a sanitary district or a public
9 inland lake protection and rehabilitation district for a date that is not concurrent
10 with an election specified in s. 5.02 (5), (18), (21) or (22), the county or district shall
11 pay the compensation of all election officials, as determined under sub. (2).

12 **SECTION 1mm.** 7.15 (2) (d) of the statutes is amended to read:

13 7.15 (2) (d) Whenever the governing body of any municipality submits any
14 question to a vote of the electors or whenever a proper recall petition and certificate
15 are filed under s. 9.10, the municipal clerk shall issue a call for the election and
16 prepare and distribute ballots as required in the authorization of submission or as
17 provided in s. 9.10. The date of the referendum shall be established in accordance
18 with s. 8.065, and shall be fixed by the municipal clerk or board of election
19 commissioners unless otherwise provided by law or unless the governing body fixes
20 a date. The ballot for any referendum shall conform to s. 5.64 (2). If there is already
21 an official municipal referendum ballot for the election, the question may appear on
22 the same ballot.

23 **SECTION 1vc.** 8.05 (3) (d) and (e) of the statutes are amended to read:

1 8.05 (3) (d) The question of adoption of the nonpartisan primary under this
2 subsection may be submitted to the electors at any regular election authorized under
3 s. 8.065 held in the town ~~or at a special election called for the purpose~~. When a
4 petition conforming to the requirements of s. 8.40 signed by at least 20 electors of the
5 town is filed with the town clerk so requesting, the question shall be submitted to a
6 vote.

7 (e) Petitions requesting a vote on the question at a regular town election shall
8 be filed no later than 5 p.m. the last Tuesday in February. When the petition is filed,
9 the clerk shall check its sufficiency. ~~Whether at a regular or special election, the~~ The
10 clerk shall give separate notice by one publication in a newspaper at least 5 days
11 before the election.

12 **SECTION 1ve.** 8.06 of the statutes is amended to read:

13 **8.06 Special elections may be called.** Towns, cities, villages and school
14 districts may call special elections for any purpose whenever such action is
15 authorized or required by law. If an election is called for a special referendum, the
16 election shall be called and noticed under as provided in s. 8.55.

17 **SECTION 1vf.** 8.065 of the statutes is created to read:

18 **8.065 Scheduling of referenda. (1)** In this section, “local governmental
19 unit” has the meaning given in s. 16.97 (7).

20 **(2)** Unless otherwise required by law or unless authorized under sub. (3), a
21 referendum held by any local governmental unit that is authorized or required by
22 law to hold a referendum may only be held concurrently with the spring primary,
23 spring election, September primary or general election. Unless otherwise required
24 by law or unless authorized under sub. (3), no referendum submitted by the same
25 local governmental unit relating to substantially similar subject matter or relating

1 to authorization for the borrowing of money may be held more than once in any
2 12-month period.

3 (3) If a local governmental unit wishes to hold a special referendum on a date
4 that is not concurrent with an election specified in s. 5.02 (5), (18), (21) or (22), the
5 local governmental unit may petition the referendum appeal board for a
6 determination that an emergency exists with respect to a particular question. The
7 referendum appeal board shall make a determination within 10 days after receipt
8 of a petition under this subsection. If the referendum appeal board finds, with the
9 concurrence of at least 4 members, that an emergency exists which requires a special
10 referendum to be held by a local governmental unit on a date that is not concurrent
11 with an election specified in s. 5.02 (5), (18), (21) or (22), the board may permit a
12 referendum relating to the question specified in the petition to be held on a date
13 determined by the local governmental unit.

14 **SECTION 1zL.** 9.20 (4) of the statutes is amended to read:

15 9.20 (4) The common council or village board shall, without alteration, either
16 pass the ordinance or resolution within 30 days following the date of the clerk's final
17 certificate, or submit it to the electors at the next ~~spring or general~~ election
18 authorized under s. 8.065, if the election is more than 6 weeks after the date of the
19 council's or board's action on the petition or the expiration of the 30-day period,
20 whichever first occurs. If there are 6 weeks or less before the election, the ordinance
21 or resolution shall be voted on at the next election authorized under s. 8.065 (2) or
22 an election authorized under s. 8.065 (3) thereafter. ~~The council or board by a~~
23 ~~three-fourths vote of the members elect may order a special election for the purpose~~
24 ~~of voting on the ordinance or resolution at any time prior to the next election, but not~~

1 ~~more than one special election for direct legislation may be ordered in any 6-month~~
2 ~~period.”.~~

3 **4.** Page 3, line 1: delete “**SECTION 1**” and substitute “**SECTION 1zm**”.

4 **5.** Page 7, line 20: delete lines 20 and 21.

5 **6.** Page 9, line 12: after that line insert:

6 “**SECTION 8k.** 13.123 (3) (b) 2. of the statutes is amended to read:

7 13.123 (3) (b) 2. In making the determination under subd. 1., the chief clerk is
8 bound by the determination of the chairperson of the elections board of state
9 canvassers if such determination has been issued.”.

10 **7.** Page 9, line 12: after that line insert:

11 “**SECTION 8m.** 13.40 of the statutes is created to read:

12 **13.40 Limitation on state appropriations from general purpose**
13 **revenue. (1)** In this section:

14 (a) “Fiscal biennium” means a 2-year period beginning on July 1 of an
15 odd-numbered year.

16 (b) “General purpose revenue” has the meaning given for “general purpose
17 revenues” in s. 20.001 (2) (a).

18 (c) “Local governmental unit” has the meaning given in s. 16.97 (7).

19 (d) “Program revenue” has the meaning given for “program revenues” in s.
20 20.001 (2) (b) and “program revenues–service” in s. 20.001 (2) (c), but excludes federal
21 revenues as defined in s. 20.001 (2) (e).

22 (e) “Segregated revenue” has the meaning given for “segregated fund revenues”
23 in s. 20.001 (2) (d), “segregated fund revenues — service” in s. 20.001 (2) (da) and

1 “segregated fund revenues — local” in s. 20.001 (2) (dm), but excludes federal
2 revenues as defined in s. 20.001 (2) (e).

3 (2) Except as provided in subs. (3) to (5), the amount appropriated from general
4 purpose revenue for each fiscal biennium excluding any amount expended under an
5 appropriation specified in sub. (3) (a) to (d), as determined under sub. (6), may not
6 exceed the sum of:

7 (a) The amount appropriated from general purpose revenue, excluding any
8 amount expended under an appropriation specified in sub. (3) (a) to (d), for the 2nd
9 fiscal year of the prior fiscal biennium as reported under s. 16.46 (2), multiplied by
10 the sum of 1.0 and the average annual percentage change in this state’s per capita
11 personal income, expressed as a decimal, as reported for the most recent 4 calendar
12 years prior to the fiscal biennium by the federal department of commerce.

13 (b) The amount determined under par. (a) multiplied by the sum of 1.0 and the
14 average annual percentage change in this state’s per capita personal income,
15 expressed as a decimal, as reported for the most recent 3 calendar years prior to the
16 fiscal biennium by the federal department of commerce and as estimated by the
17 department of administration for the calendar year following those years no later
18 than December 5 of each even-numbered year, except as provided in sub. (8).

19 (c) Any amount by which the amount appropriated from sum certain
20 appropriations made from general purpose revenue, excluding any amount
21 expended under an appropriation specified in sub. (3) (a) to (d), for the preceding
22 fiscal biennium, exceeded actual expenditures from sum certain appropriations
23 made from general purpose revenue for the preceding fiscal biennium, excluding any
24 amount expended under an appropriation specified in sub. (3) (a) to (d), as
25 determined by the legislative fiscal bureau.

1 **(3)** The limitation under sub. (2) does not apply to any of the following:

2 (a) An appropriation for principal repayment and interest payments on public
3 debt, as defined in s. 18.01 (4), or operating notes, as defined in s. 18.71 (4).

4 (b) An appropriation to honor a moral obligation undertaken pursuant to ss.
5 18.61 (5), 85.25 (5), 229.50 (7), 229.74 (7), 234.15 (4), 234.42 (4), 234.54 (4) (b),
6 234.626 (7), 234.93 (6) and 281.59 (13m).

7 (c) An appropriation to make a payment to the United States that the building
8 commission determines to be payable under s. 13.488 (1) (m).

9 (d) An appropriation for a period prior to the 1999-2000 fiscal year providing
10 for state aids to any local governmental unit.

11 (e) An appropriation that is enacted with the approval of at least three-fifths
12 of the members of each house of the legislature.

13 **(4)** Whenever in any fiscal biennium the federal government assumes fiscal
14 responsibility for a state program that was previously funded from general purpose
15 revenue, the limitation under sub. (2) for the next fiscal biennium shall be reduced
16 by the amount allocated to that program for the most recently completed fiscal
17 biennium in which the state assumed fiscal responsibility for the program.

18 **(4m)** Whenever in any fiscal biennium the legislature reduces the cost of
19 administering a program administered in whole or in part from general purpose
20 revenue by substituting funding from program revenue or segregated revenue, the
21 limitation under sub. (2) for the next fiscal biennium shall be reduced by the amount
22 of the reduced state cost, from general purpose revenue, of administering that
23 program for the most recently completed fiscal biennium.

24 **(5)** Whenever in any fiscal biennium the legislature terminates or reduces the
25 state general purpose revenue funding for a program administered by local

1 governmental units that is partially funded by the state from general purpose
2 revenue, the limitation under sub. (2) for the next fiscal biennium shall be reduced
3 by the amount allocated by the state to that program from general purpose revenue
4 or by the amount of the reduced state cost, from general purpose revenue, of
5 administering that program for the most recently completed fiscal biennium. If the
6 requirement that the local unit of government administer the program is terminated
7 or reduced by the same amount that state general purpose funding is reduced, then
8 no adjustment shall be made to the limitation under sub. (2).

9 **(6)** For purposes of sub. (2), the computation of the amount appropriated from
10 general purpose revenue for any fiscal biennium to which sub. (2) applies shall be
11 made by adding the applicable sum certain appropriations enacted by the legislature
12 from general purpose revenue and an estimate of amounts that will be expended
13 under applicable appropriations, other than sum certain appropriations, that are
14 made from general purpose revenue for that fiscal biennium, including any amounts
15 estimated to be expended for payment of compensation increases for state employes
16 and for litigation expenses incurred in actions against the state or state officers,
17 employes or agents, as determined by the legislative fiscal bureau no later than
18 December 5 of each even-numbered year, except as provided in sub. (8).

19 **(7)** For purposes of calculating the amount appropriated from a biennial
20 appropriation under sub. (2) (a), the amount shown in the schedule under s. 20.005
21 (3) for the 2nd year of any fiscal biennium is determinative.

22 **(8)** No later than December 5 of each even-numbered year, the department of
23 administration and legislative fiscal bureau shall report to the cochairpersons of the
24 joint committee on finance the estimates and determinations required to be made
25 under subs. (2) and (6) for the succeeding fiscal biennium. If the cochairpersons of

1 the committee do not notify the secretary of administration and the director of the
2 legislative fiscal bureau that the committee has scheduled a meeting for the purpose
3 of reviewing the estimates and determinations by December 15 following their
4 submittal, the estimates and determinations shall be effective. If, by December 15
5 following the submittal of the estimates and determinations, the cochairpersons of
6 the committee notify the secretary and director that the committee has scheduled a
7 meeting for the purpose of reviewing the estimates and determinations, the
8 estimates and determinations are not effective unless approved or approved with
9 modifications by the committee.”.

10 **8.** Page 10, line 23: after that line insert:

11 “**SECTION 9hm.** 13.48 (10) (a) of the statutes is amended to read:

12 13.48 (10) (a) No state board, agency, officer, department, commission or body
13 corporate may enter into a contract for the construction, reconstruction, remodeling
14 of or addition to any building, structure, or facility, which involves a cost in excess
15 of \$100,000, without completion of final plans and arrangement for supervision of
16 construction and prior approval by the building commission. ~~The building~~
17 ~~commission may not approve a contract for the construction, reconstruction,~~
18 ~~renovation or remodeling of or an addition to a state building as defined in s. 44.51~~
19 ~~(2) unless it determines that s. 44.57 has been complied with or does not apply.~~ This
20 section applies to the department of transportation only in respect to buildings,
21 structures and facilities to be used for administrative or operating functions,
22 including buildings, land and equipment to be used for the motor vehicle emission
23 inspection and maintenance program under s. 110.20.”.

24 **9.** Page 15, line 8: after that line insert:

1 **“SECTION 10rm.** 13.58 (5) (b) 1. of the statutes is amended to read:

2 13.58 (5) (b) 1. ~~Direct the council on information technology or the subunit in~~
3 the department of administration with policy-making responsibility related to
4 information technology to conduct studies or prepare reports on items related to the
5 committee’s duties under par. (a).”.

6 **10.** Page 15, line 25: delete the material beginning with that line and ending
7 with page 16, line 9.

8 **11.** Page 17, line 9: after that line insert:

9 **“SECTION 14n.** 13.92 (1) (b) 1. of the statutes is renumbered 13.92 (1) (b) 1.
10 (intro.) and amended to read:

11 13.92 (1) (b) 1. (intro.) Prepare in the proper form all legislation to be
12 introduced in the legislature. Only the following persons may use the drafting
13 services of the bureau for this purpose:

14 **SECTION 14np.** 13.92 (1) (b) 1. a. to d. of the statutes are created to read:

15 13.92 (1) (b) 1. a. Any member or member-elect of the legislature and, on behalf
16 of each committee thereof, the chairperson.

17 b. Any agency, as defined in s. 16.70 (1), created under ch. 13, 14, 15 or 758.

18 c. The chief clerk of either house of the legislature for requests pertaining to
19 the operation of the legislature.

20 d. A party caucus of either house of the legislature.”.

21 **12.** Page 18, line 10: after that line insert:

22 **“SECTION 18g.** 13.94 (11) of the statutes is created to read:

23 13.94 (11) OPEN ENROLLMENT. By July 1, 2002, the legislative audit bureau shall
24 conduct a performance evaluation audit of the full-time open enrollment program

1 under s. 118.51. The audit shall evaluate the effects of the program on the quality
2 of elementary and secondary education in this state, including all of the following:

3 (a) The extent to which the program has resulted in the creation of new or
4 innovative programs by school districts.

5 (b) The satisfaction of participating and nonparticipating pupils and parents
6 with the program.

7 (c) The fiscal effect of the program on school districts.

8 (d) The socioeconomic effect of the program on school districts.

9 (e) Other issues affecting the quality of education.”.

10 **13.** Page 19, line 8: after that line insert:

11 “**SECTION 19m.** 14.015 (2) (c) of the statutes is created to read:

12 14.015 (2) (c) This subsection does not apply after June 30, 1999.”.

13 **14.** Page 19, line 25: after that line insert:

14 “**SECTION 21m.** 14.017 (3) of the statutes is created to read:

15 14.017 (3) STANDARDS DEVELOPMENT COUNCIL. (a) There is created in the office
16 of the governor a standards development council consisting of all of the following:

17 1. The lieutenant governor, who shall serve as chairperson of the council.

18 2. A representative of the department of public instruction appointed by the
19 state superintendent of public instruction.

20 3. The chairpersons of the committees in the assembly and senate whose
21 subject matter is elementary and secondary education or members of those
22 committees designated by the chairpersons.

23 4. The ranking minority member of each of the committees under subd. 3. or
24 members of those committees designated by the ranking minority members.

1 5. One member appointed by the governor to serve at the pleasure of the
2 governor.

3 (b) Section 15.09 applies to the standards development council.”.

4 **15.** Page 20, line 14: after that line insert:

5 “**SECTION 23d.** 14.23 of the statutes is created to read:

6 **14.23 Standards development council. (1)** By the effective date of this
7 subsection [revisor inserts date], the governor shall submit to the standards
8 development council pupil academic standards in mathematics, science, reading and
9 writing, geography and history. The council shall review the standards and may
10 modify them. By September 15, 1997, or within 30 days after the effective date of
11 the subsection [revisor inserts date], whichever is later, the council shall transmit
12 its recommended standards to the governor.

13 **(2)** The governor shall approve or disapprove the recommended standards
14 within 30 days after receiving them under sub. (1). If the governor approves the
15 standards, he or she may issue the approved standards as an executive order.

16 **(3)** The council shall periodically review the standards issued under sub. (2)
17 and may recommend changes to the governor. If the governor approves the changes
18 he or she may issue them as an executive order.”.

19 **16.** Page 21, line 6: delete the material beginning with “Upon” and ending
20 with “exist.” on line 8 and substitute “~~Upon acceptance of the report by the governor,~~
21 The commission shall cease to exist on July 1, 1999.”.

22 **17.** Page 21, line 23: after that line insert:

23 “**SECTION 26m.** 14.58 (19) of the statutes is amended to read:

1 14.58 (19) APPORTION INTEREST. Apportion at least quarterly the interest
2 earned on state moneys in all depositories among the several funds as provided in
3 s. 25.14 (3), except that earnings attributable to the investment of temporary excess
4 balances under sub. (4) (b) shall be distributed according to a formula prescribed by
5 the ~~depository selection board~~ state treasurer. To the maximum extent deemed
6 administratively feasible by the ~~depository selection board~~ state treasurer, the
7 formula shall approximate the distribution of earnings among funds which would
8 occur if earnings were allocated in proportion to each fund's actual contribution to
9 the earnings. Interest so apportioned shall be added to and become a part of such
10 funds.”.

11 **18.** Page 23, line 19: after that line insert:

12 “**SECTION 31m.** 15.01 (4) of the statutes is amended to read:

13 15.01 (4) “Council” means a part-time body appointed to function on a
14 continuing basis for the study, and recommendation of solutions and policy
15 alternatives, of the problems arising in a specified functional area of state
16 government, ~~except the Milwaukee river revitalization council has the powers and~~
17 ~~duties specified in s. 23.18, the council on physical disabilities has the powers and~~
18 ~~duties specified in s. 46.29 (1) and (2), the state council on alcohol and other drug~~
19 ~~abuse has the powers and duties specified in s. 14.24 and, before January 1, 2001,~~
20 ~~the council on health care fraud and abuse has the powers and duties specified in s.~~
21 ~~146.36.”.~~

22 **19.** Page 25, line 19: after that line insert:

23 “**SECTION 43k.** 15.07 (1) (b) 2. of the statutes is repealed.”.

24 **20.** Page 25, line 19: after that line insert:

1 **“SECTION 43m.** 15.07 (1) (b) 12. of the statutes is repealed.”.

2 **21.** Page 26, line 19: before “is” insert “section 45,”.

3 **22.** Page 27, line 10: after that line insert:

4 **“SECTION 45t.** 15.07 (1) (cm) of the statutes, as affected by 1997 Wisconsin Act
5 (this act), section 45m, is repealed and recreated to read:

6 15.07 (1) (cm) The term of one member of the ethics board shall expire on each
7 May 1. The terms of 3 members of the development finance board appointed under
8 s. 15.155 (1) (a) 6. shall expire on May 1 of every even-numbered year and the terms
9 of the other 3 members appointed under s. 15.155 (1) (a) 6. shall expire on May 1 of
10 every odd-numbered year. The terms of the 3 members of the land and water
11 conservation board appointed under s. 15.135 (4) (b) 2. shall expire on January 1.
12 The term of the member of the land and water conservation board appointed under
13 s. 15.135 (4) (b) 2m. shall expire on May 1 of an even-numbered year. The terms of
14 members of the real estate board shall expire on July 1. The terms of the appraiser
15 members of the real estate appraisers board and the terms of the auctioneer and
16 auction company representative members of the auctioneer board shall expire on
17 May 1 in an even-numbered year.”.

18 **23.** Page 27, line 14: after that line insert:

19 **“SECTION 47g.** 15.07 (2) (k) of the statutes is repealed.”.

20 **24.** Page 27, line 16: after that line insert:

21 **“SECTION 48m.** 15.07 (5) (q) of the statutes is repealed.”.

22 **25.** Page 27, line 19: after that line insert:

23 **“SECTION 50m.** 15.105 (3) of the statutes is repealed.”.

24 **26.** Page 28, line 11: after that line insert:

1 “**SECTION 53r.** 15.107 (4) of the statutes is repealed.”.

2 **27.** Page 28, line 11: after that line insert:

3 “**SECTION 54s.** 15.107 (5) of the statutes is repealed.”.

4 **28.** Page 28, line 15: after that line insert:

5 “**SECTION 54mm.** 15.107 (15) of the statutes is repealed.”.

6 **29.** Page 28, line 15: after that line insert:

7 “**SECTION 54mf.** 15.107 (14) of the statutes is repealed.”.

8 **30.** Page 29, line 16: after that line insert:

9 “**SECTION 57e.** 15.135 (5) of the statutes is repealed.”.

10 **31.** Page 29, line 16: after that line insert:

11 “**SECTION 57k.** 15.137 (4) of the statutes is repealed.”.

12 **32.** Page 29, line 16: after that line insert:

13 “**SECTION 57c.** 15.135 (3) of the statutes is repealed.

14 **SECTION 57j.** 15.137 (2) of the statutes is repealed.”.

15 **33.** Page 29, line 16: after that line insert:

16 “**SECTION 57m.** 15.145 (2) of the statutes is repealed.”.

17 **34.** Page 29, line 16: after that line insert:

18 “**SECTION 56m.** 15.13 of the statutes is amended to read:

19 **15.13 Department of agriculture, trade and consumer protection;**
20 **creation.** There is created a department of agriculture, trade and consumer
21 protection under the direction and supervision of the board of agriculture, trade and
22 consumer protection. The board shall consist of ~~6~~ 7 members with an agricultural
23 background and 2 members who are consumer representatives, appointed for

1 staggered 6-year terms. Appointments to the board shall be made without regard
2 to party affiliation, residence or interest in any special organized group.”.

3 **35.** Page 29, line 17: delete lines 17 to 20 and substitute:

4 “SECTION 58d. 15.147 of the statutes is repealed.”.

5 **36.** Page 30, line 3: after that line insert:

6 “SECTION 60g. 15.195 (3) of the statutes is repealed.”.

7 **37.** Page 30, line 3: after that line insert:

8 “SECTION 60b. 15.187 of the statutes is repealed.”.

9 **38.** Page 30, line 3: after that line insert:

10 “SECTION 59c. 15.157 (5) of the statutes is repealed.”.

11 **39.** Page 30, line 3: after that line insert:

12 “SECTION 60am. 15.185 (2) of the statutes is repealed.”.

13 **40.** Page 30, line 3: after that line insert:

14 “SECTION 59f. 15.157 (15) of the statutes is repealed.”.

15 **41.** Page 30, line 3: after that line insert:

16 “SECTION 60e. 15.195 (1) of the statutes is repealed.”.

17 **42.** Page 30, line 3: after that line insert:

18 “SECTION 59m. 15.177 of the statutes is repealed.”.

19 **43.** Page 30, line 3: after that line insert:

20 “SECTION 59d. 15.157 (6) of the statutes is repealed.”.

21 **44.** Page 30, line 9: after that line insert:

22 “SECTION 63p. 15.197 (22) of the statutes is repealed.”.

23 **45.** Page 30, line 9: after that line insert:

1 **“SECTION 63m.** 15.197 (21) of the statutes is repealed.”.

2 **46.** Page 30, line 9: after that line insert:

3 **“SECTION 63j.** 15.197 (12) of the statutes is repealed.”.

4 **47.** Page 31, line 7: after that line insert:

5 **“SECTION 65p.** 15.227 (17) of the statutes, as affected by 1997 Wisconsin Act
6 3, is repealed.”.

7 **48.** Page 31, line 7: after that line insert:

8 **“SECTION 65m.** 15.227 (14) of the statutes, as affected by 1997 Wisconsin Act
9 3, is repealed.”.

10 **49.** Page 31, line 7: after that line insert:

11 **“SECTION 65k.** 15.227 (9) of the statutes, as affected by 1997 Wisconsin Act 3,
12 is repealed.”.

13 **50.** Page 31, line 7: after that line insert:

14 **“SECTION 65i.** 15.227 (8) of the statutes, as affected by 1997 Wisconsin Act 3,
15 is repealed.”.

16 **51.** Page 31, line 7: after that line insert:

17 **“SECTION 65g.** 15.227 (5) of the statutes, as affected by 1997 Wisconsin Act 3,
18 is repealed.”.

19 **52.** Page 31, line 7: after that line insert:

20 **“SECTION 65d.** 15.227 (1) of the statutes, as affected by 1997 Wisconsin Act 3,
21 is repealed.”.

22 **53.** Page 31, line 10: after that line insert:

23 **“SECTION 66f.** 15.257 (1) of the statutes is repealed.”.

1 **54.** Page 31, line 10: after that line insert:

2 “**SECTION 66g.** 15.315 of the statutes is repealed.”.

3 **55.** Page 31, line 10: after that line insert:

4 “**SECTION 66c.** 15.227 (24) (a) 12. of the statutes is created to read:

5 15.227 (24) (a) 12. One member who is an elected county official.

6 **SECTION 66e.** 15.227 (24) (bm) of the statutes is amended to read:

7 15.227 (24) (bm) The members of the council appointed under par. (a) 6. to ~~11.~~

8 12. and the chairperson of the council shall be appointed by the governor to serve at

9 the pleasure of the governor.”.

10 **56.** Page 32, line 2: after that line insert:

11 “**SECTION 67q.** 15.347 (12) of the statutes is repealed.”.

12 **57.** Page 32, line 2: after that line insert:

13 “**SECTION 68t.** 15.347 (19) of the statutes is repealed.”.

14 **58.** Page 32, line 2: after that line insert:

15 “**SECTION 67r.** 15.347 (15) of the statutes is repealed.”.

16 **59.** Page 32, line 2: after that line insert:

17 “**SECTION 67s.** 15.347 (18) of the statutes is repealed.”.

18 **60.** Page 32, line 2: after that line insert:

19 “**SECTION 67m.** 15.347 (8) of the statutes is repealed.”.

20 **61.** Page 32, line 2: after that line insert:

21 “**SECTION 67p.** 15.347 (11) of the statutes is repealed.”.

22 **62.** Page 32, line 20: delete the material beginning with that line and ending

23 with page 33, line 11, and substitute:

1 “**SECTION 73m.** 15.375 (1) of the statutes is repealed.”

2 **63.** Page 34, line 19: delete lines 19 to 25 and substitute:

3 “**SECTION 79m.** 15.377 (2) of the statutes is repealed.”

4 **64.** Page 35, line 1: delete lines 1 to 9 and substitute:

5 “**SECTION 80m.** 15.377 (3) of the statutes is repealed.”

6 **65.** Page 36, line 10: delete lines 10 to 21 and substitute:

7 “**SECTION 83ag.** 15.377 (7m) of the statutes is repealed.”

8 **66.** Page 36, line 22: delete the material beginning with that line and ending
9 with page 38, line 2.

10 **67.** Page 38, line 3: after that line insert:

11 “**SECTION 84g.** 15.467 (2) of the statutes is repealed.”

12 **68.** Page 38, line 3: after that line insert:

13 “**SECTION 84e.** 15.467 (1) of the statutes is repealed.”

14 **69.** Page 38, line 7: after that line insert:

15 “**SECTION 85d.** 15.57 (6) of the statutes is repealed.

16 **SECTION 85g.** 15.57 (6g) of the statutes is created to read:

17 15.57 (**6g**) The president of the Wisconsin Public Radio Association.

18 **SECTION 85j.** 15.577 (1) of the statutes is repealed.”

19 **70.** Page 38, line 7: after that line insert:

20 “**SECTION 85h.** 15.57 (6m) of the statutes is created to read:

21 15.57 (**6m**) One member with a demonstrated interest in public television who
22 resides within the coverage area of an education television channel subject to s. 39.11
23 (3).

1 **SECTION 85k.** 15.577 (2) of the statutes is repealed.”.

2 **71.** Page 38, line 7: after that line insert:

3 “**SECTION 85L.** 15.615 (1) of the statutes is repealed.”.

4 **72.** Page 38, line 7: after that line insert:

5 “**SECTION 85n.** 15.617 of the statutes is repealed.”.

6 **73.** Page 38, line 7: after that line insert:

7 “**SECTION 85m.** 15.615 (2) of the statutes is created to read:

8 15.615 (2) REFERENDUM APPEAL BOARD. There is created a referendum appeal
9 board which is attached to the elections board under s. 15.03. The board shall consist
10 of the governor, the senate majority leader, the senate minority leader, the speaker
11 of the assembly and the assembly minority leader or the designees of these persons.”.

12 **74.** Page 38, line 11: delete lines 11 to 17 and substitute:

13 “**SECTION 89m.** 15.647 of the statutes is repealed.”.

14 **75.** Page 40, line 4: delete lines 4 to 13 and substitute:

15 “**SECTION 92c.** 15.707 (1) of the statutes is repealed.”.

16 **76.** Page 40, line 13: after that line insert:

17 “**SECTION 92e.** 15.707 (2) of the statutes is repealed.”.

18 **77.** Page 40, line 23: after that line insert:

19 “**SECTION 92v.** 15.735 (title) of the statutes is repealed.

20 **SECTION 92w.** 15.735 (1) of the statutes is repealed.”.

21 **78.** Page 41, line 6: after that line insert:

22 “**SECTION 94m.** 15.915 (3) of the statutes is repealed.”.

23 **79.** Page 41, line 6: after that line insert:

1 “**SECTION 94n.** 15.947 (1) of the statutes is repealed.”.

2 **80.** Page 41, line 12: after “consultant” insert “, to be paid from the
3 appropriation under s. 20.435 (1) (bm),”.

4 **81.** Page 41, line 18: after that line insert:

5 “**SECTION 96t.** 16.02 of the statutes is repealed.”.

6 **82.** Page 44, line 15: after that line insert:

7 “**SECTION 97m.** 16.025 of the statutes is repealed.”.

8 **83.** Page 46, line 25: after that line insert:

9 “**SECTION 102apm.** 16.31 (1) (b) of the statutes is amended to read:

10 16.31 (1) (b) ~~The department shall develop the plan in consultation with the~~
11 ~~housing advisory council.~~ In preparing the plan, the department may obtain input
12 from housing authorities, community-based organizations, the private housing
13 industry and others interested in housing assistance and development.”.

14 **84.** Page 49, line 14: after that line insert:

15 “**SECTION 102rs.** 16.38 of the statutes is repealed.”.

16 **85.** Page 52, line 2: after that line insert:

17 “**SECTION 105p.** 16.46 (intro.), (1), (3) and (4) of the statutes are amended to
18 read:

19 **16.46 Biennial budget, contents.** (intro.) The biennial state budget report
20 shall be prepared by the secretary, under the direction of the governor, and a copy of
21 a budget-in-brief thereof shall be furnished to each member of the legislature on the
22 day of the delivery of the budget message. The biennial state budget report shall be
23 furnished to each member of the legislature on the same day and shall contain all of
24 the following information:

1 **(1)** A summary of the actual and estimated receipts of the state government
2 in all operating funds under existing laws during the current and the succeeding
3 bienniums, classified so as to show the receipts by funds, organization units and
4 sources of income;.

5 **(3)** A statement showing the condition of all operating funds of the treasury at
6 the close of the preceding fiscal year and the estimated condition at the close of the
7 current year;.

8 **(4)** A statement showing how the total estimated disbursements during each
9 year of the succeeding biennium compare with the estimated receipts, and the
10 additional revenues, if any, needed to defray the estimated expenses of the state;.

11 **SECTION 105r.** 16.46 (5) of the statutes is renumbered 16.46 (5) (intro.) and
12 amended to read:

13 16.46 **(5)** (intro.) A statement of the actual and estimated receipts and
14 disbursements of each department and of all state aids and activities during the
15 current biennium, the departmental estimates and requests, and the
16 recommendations of the governor for the succeeding biennium. Estimates of
17 expenditures shall be classified to set forth such expenditures by funds, organization
18 units, appropriation, object and activities at the discretion of the secretary;.
19 Regardless of the classification chosen by the secretary, the statement shall compare
20 the recommendations of the governor for disbursements for that classification
21 during the succeeding biennium with all of the following:

22 **SECTION 105t.** 16.46 (5) (a) and (b) of the statutes are created to read:

23 16.46 **(5)** (a) A base level of funding for that classification for the current
24 biennium. The base level of funding shall be determined by adding, with respect to
25 sum certain appropriations within that classification, the amounts appropriated for

1 the 2 years in the current biennium from those appropriations and, with respect to
2 sum sufficient appropriations within that classification, the estimated expenditures
3 from those sum sufficient appropriations for the 2 years in the current biennium, as
4 determined by the secretary.

5 (b) The secretary's estimate of the amount that will actually be expended from
6 the appropriations within that classification over the 2 years of the current
7 biennium.”.

8 **86.** Page 52, line 2: after that line insert:

9 “**SECTION 105q.** 16.46 (2) of the statutes is amended to read:

10 16.46 (2) A summary of the actual and estimated amounts appropriated and
11 the actual and estimated disbursements of the state government from all operating
12 funds during for each fiscal year of the current fiscal biennium and of the requests
13 of agencies and the recommendations of the governor for the succeeding fiscal
14 biennium;”.

15 **87.** Page 52, line 6: after “(h),” insert “(ip),”.

16 **88.** Page 52, line 15: after that line insert:

17 “**SECTION 116e.** 16.705 (2) of the statutes is amended to read:

18 16.705 (2) The department shall promulgate rules for the procurement of
19 contractual services, including but not limited to the approval and monitoring
20 processes for contractual service contracts. Each officer requesting approval to
21 engage any person to perform contractual services shall submit to the department
22 written justification for such contracting which shall include a description of the
23 contractual services to be procured, justification of need, justification for not
24 contracting with other agencies, a specific description of the scope of contractual

1 services to be performed, and justification for the procurement process if a process
2 other than competitive bidding is to be used. The department may not approve any
3 contract for contractual services unless it is satisfied that the justification for
4 contracting conforms to the requirements of this section and ss. 16.71 to 16.77. This
5 subsection does not apply to contracts entered into under s. 16.707.

6 **SECTION 116m.** 16.705 (3) (intro.) of the statutes is amended to read:

7 16.705 (3) (intro.) ~~Contracts~~ All contracts for contractual services other than
8 contracts entered into under s. 16.707 shall be submitted by the department for the
9 review and approval of the secretary of employment relations prior to award, under
10 conditions established by rule of the department. The secretary of employment
11 relations shall review such contracts in order to ensure that agencies:

12 **SECTION 116r.** 16.707 of the statutes is created to read:

13 **16.707 Operation and management of correctional facility.** (1) The
14 department of administration, in consultation with the department of corrections,
15 shall request the submittal of competitive sealed proposals for the initial operation
16 and management of the medium security correctional facility authorized under 1997
17 Wisconsin Act (this act), section 9107 (1) (b). If more than one such facility is
18 constructed, the department of administration shall request the submittal of
19 competitive sealed proposals for the initial operation and management of one such
20 facility.

21 (2) The term of the initial operation and management of the facility specified
22 in sub. (1) may be specified by the department of administration in its request for
23 proposals. If the department of administration does not specify a term, a vendor may
24 specify a term in its proposal which may not exceed the maximum term specified by
25 the department of administration.

1 **(3)** No later than the deadline specified by the department of administration
2 for receipt of proposals under sub. (1), the department of corrections shall provide to
3 the department of administration complete information, in the form specified by the
4 department of administration, concerning the projected method and costs of
5 operation and management of the facility specified in sub. (1) by the department of
6 corrections.

7 **(4)** If the department of administration accepts any competitive sealed
8 proposal, the department of corrections shall enter into a contractual services
9 agreement with the contractor for the initial operation and management of the
10 facility specified in sub. (1) in accordance with the accepted proposal. If the
11 department of administration does not accept any competitive sealed proposal, the
12 department of corrections shall initially operate and manage the facility.”.

13 **89.** Page 52, line 17: after “section” insert “and s. 16.707”.

14 **90.** Page 53, line 7: after that line insert:

15 “**SECTION 117s.** 16.72 (2) (cm) of the statutes is created to read:

16 16.72 **(2)** (cm) The department shall verify and record the country of origin for
17 each motor vehicle purchased for any agency.”.

18 **91.** Page 53, line 24: after that line insert:

19 “**SECTION 121e.** 16.75 (3t) (c) (intro.) of the statutes is amended to read:

20 16.75 **(3t)** (c) (intro.) The department of corrections shall periodically provide
21 to the department of administration a current list of all materials, supplies,
22 equipment or contractual services, excluding commodities, that are supplied by
23 prison industries, as created under s. 303.01. The department of administration
24 shall distribute the list to all designated purchasing agents under s. 16.71 (1). ~~Prior~~

1 Except as required under s. 16.707, prior to seeking bids or competitive sealed
2 proposals with respect to the purchase of any materials, supplies, equipment or
3 contractual services enumerated in the list, the department of administration or any
4 other designated purchasing agent under s. 16.71 (1) shall offer prison industries the
5 opportunity to supply the materials, supplies, equipment or contractual services if
6 the department of corrections is able to provide them at a price comparable to one
7 which may be obtained through competitive bidding or competitive sealed proposals
8 and is able to conform to the specifications, provided the specifications are written
9 in accordance with s. 16.72 (2) (d). If the department of administration or other
10 purchasing agent is unable to determine whether the price of prison industries is
11 comparable, it may solicit bids or competitive proposals before awarding the order
12 or contract. This paragraph does not apply to the printing of the following forms:

13 **SECTION 121r.** 16.752 (12) (a) of the statutes is amended to read:

14 16.752 (12) (a) Except as provided in pars. (c), (d), (h) and (i) and s. 16.707 and
15 except as authorized under sub. (13), agencies shall obtain materials, supplies,
16 equipment and services on the list maintained by the board under sub. (2) (g).”.

17 **92.** Page 54, line 8: after that line insert:

18 “**SECTION 123mk.** 16.76 (4) (g) of the statutes is created to read:

19 16.76 (4) (g) No later than January 15 of each odd-numbered year, the
20 secretary shall report to the legislature under s. 13.172 (2) concerning the costs and
21 benefits to the state resulting from the use of master leases by the department or its
22 designated agents under s. 16.71 (1) during the 2-year period ending on the
23 preceeding December 31.”.

24 **93.** Page 54, line 8: after that line insert:

1 **“SECTION 123mm.** 16.78 (1) of the statutes is amended to read:

2 16.78 (1) ~~Every~~ Except as provided in s. 16.707, every agency other than the
3 board of regents of the university of Wisconsin system or an agency making
4 purchases under s. 16.74 shall purchase all computer services from the division of
5 information technology services in the department of administration, unless the
6 division grants written authorization to the agency to procure the services under s.
7 16.75 (1), to purchase the services from another agency or to provide the services to
8 itself. The board of regents of the university of Wisconsin system may purchase
9 computer services from the division of information technology services.”.

10 **94.** Page 69, line 19: before that line insert:

11 **“SECTION 148e.** 16.976 of the statutes is repealed.”.

12 **95.** Page 69, line 18: after that line insert:

13 “(c) Coordinate with the technology for educational achievement in Wisconsin
14 board to provide private schools with telecommunications access under s. 196.218
15 (4r) and contract with telecommunications providers to provide such access.”.

16 **96.** Page 71, line 13: delete that line and substitute:

17 “17.15 **(3m)** SOUTHEASTERN WISCONSIN FOX RIVER COMMISSION. Any
18 commissioner of the Southeastern Wisconsin”.

19 **97.** Page 72, line 14: after that line insert:

20 **“SECTION 158m.** 19.42 (13) (d) of the statutes is repealed.”.

21 **98.** Page 88, line 6: decrease the dollar amount for fiscal year 1997–98 by
22 \$100,000 and decrease the dollar amount for fiscal year 1998–99 by \$100,000 for the
23 purposes for which the appropriation is made.

1 “(qm) Brownfields grant program; en-
2 vironmental fund SEG A 4,200,000 5,000,000”.

3 **110.** Page 95, line 19: increase the dollar amount for fiscal year 1997–98 by
4 \$323,500 and increase the dollar amount for fiscal year 1998–99 by \$323,500 to
5 increase funding for the purposes for which the appropriation is made.

6 **111.** Page 97, line 6: decrease the dollar amount for fiscal year 1997–98 by
7 \$35,900 and decrease the dollar amount for fiscal year 1998–99 by \$35,900 to
8 decrease funding for the purposes for which the appropriation is made.

9 **112.** Page 102, line 3: decrease the dollar amount for fiscal year 1997–98 by
10 \$400,000 and decrease the dollar amount for fiscal year 1998–99 by \$400,000 to
11 decrease funding for the purpose for which the appropriation is made.

12 **113.** Page 104, line 8: increase the dollar amount for fiscal year 1997–98 by
13 \$186,100 and increase the dollar amount for fiscal year 1998–99 by \$186,100 to
14 increase funding for the purposes for which the appropriation is made.

15 **114.** Page 104, line 10: increase the dollar amount for fiscal year 1997–98 by
16 \$123,000 and increase the dollar amount for fiscal year 1998–99 by \$123,000 to
17 increase funding for the purpose for which the appropriation is made.

18 **115.** Page 104, line 11: increase the dollar amount for fiscal year 1997–98 by
19 \$22,500 and increase the dollar amount for fiscal year 1998–99 by \$22,500 to
20 increase funding for the purpose for which the appropriation is made.

21 **116.** Page 105, line 2: decrease the dollar amount for fiscal year 1997–98 by
22 \$331,600 and decrease the dollar amount for fiscal year 1998–99 by \$331,600 to
23 decrease funding for the purpose for which the appropriation is made.

1 **117.** Page 105, line 6: delete lines 6 to 8.

2 **118.** Page 105, line 14: decrease the dollar amount for fiscal year 1997–98 by
3 \$331,600 and decrease the dollar amount for fiscal year 1998–99 by \$331,600 to
4 decrease funding for the purpose for which the appropriation is made.

5 **119.** Page 106, line 17: increase the dollar amount for fiscal year 1997–98 by
6 \$321,000 and increase the dollar amount for fiscal year 1998–99 by \$497,600 to
7 increase funding for the purpose for which the appropriation is made.

8 **120.** Page 107, line 8: increase the dollar amount for fiscal year 1997–98 by
9 \$597,100 and increase the dollar amount for fiscal year 1998–99 by \$754,200 to
10 increase funding for the purpose for which the appropriation is made.

11 **121.** Page 107, line 10: decrease the dollar amount for fiscal year 1997–98 by
12 \$217,300 and decrease the dollar amount for fiscal year 1998–99 by \$456,300 to
13 decrease funding for the purpose for which the appropriation is made.

14 **122.** Page 108, line 2: decrease the dollar amount for fiscal year 1997–98 by
15 \$13,400 and decrease the dollar amount for fiscal year 1998–99 by \$13,400 to
16 decrease funding for the purposes for which the appropriation is made.

17 **123.** Page 110, line 12: increase the dollar amount for fiscal year 1997–98 by
18 \$75,000 and increase the dollar amount for fiscal year 1998–99 by \$75,000 to
19 increase funding for the purpose for which the appropriation is made.

20 **124.** Page 110, line 18: increase the dollar amount for fiscal year 1997–98 by
21 \$75,000 and increase the dollar amount for fiscal year 1998–99 by \$75,000 to
22 increase funding for the purpose for which the appropriation is made.

1 **148.** Page 142, line 4: decrease the dollar amount for fiscal year 1997-98 by
2 \$3,200 and decrease the dollar amount for fiscal year 1998-99 by \$3,200, and adjust
3 the NET APPROPRIATION totals accordingly, to reflect the elimination of the
4 Milwaukee River revitalization council.

5 **149.** Page 142, line 4: decrease the dollar amount for fiscal year 1998-99 by
6 \$175,000, and adjust the NET APPROPRIATION total accordingly, to decrease
7 funding for the purposes for which the appropriation is made.

8 **150.** Page 142, line 6: decrease the dollar amount for fiscal year 1997-98 by
9 \$300 and decrease the dollar amount for fiscal year 1998-99 by \$300 to reflect the
10 elimination of the aquatic nuisance control council.

11 **151.** Page 145, line 20: after “study” insert “Black Point Estate; Southeastern
12 Wisconsin Fox River commission; Wisconsin lake schooner”.

13 **152.** Page 147, line 9: decrease the dollar amount for fiscal year 1998-99 by
14 \$500,000 to decrease funding for the purposes for which the appropriation is made.

15 **153.** Page 149, line 17: before that line insert:

16 “(av) Recreational boating properties

17 acquisition and development —

18 principal repayment and interest SEG A 225,000 225,000”.

19 **154.** Page 151, line 9: substitute “(gq)” for “(gh)”.

20 **155.** Page 152, line 6: decrease the dollar amount for fiscal year 1997-98 by
21 \$150,400 and decrease the dollar amount for fiscal year 1998-99 by \$150,400 to
22 decrease funding for the purposes for which the appropriation is made.

1 **156.** Page 154, line 3: decrease the dollar amount for fiscal year 1997–98 by
2 \$7,000 and decrease the dollar amount for fiscal year 1998–99 by \$7,000 to reflect
3 the elimination of the Milwaukee River revitalization council.

4 **157.** Page 154, line 23: decrease the dollar amount for fiscal year 1997–98 by
5 \$1,500 and decrease the dollar amount for fiscal year 1998–99 by \$1,500 to reflect
6 the elimination of the off-the-road vehicle council.

7 **158.** Page 156, line 3: decrease the dollar amount for fiscal year 1997–98 by
8 \$67,300 and decrease the dollar amount for fiscal year 1998–99 by \$67,300 to
9 decrease funding for the purposes for which the appropriation is made.

10 **159.** Page 158, line 6: decrease the dollar amount for fiscal year 1997–98 by
11 \$3,249,700 and decrease the dollar amount for fiscal year 1998–99 by \$5,409,900 for
12 the purpose of reducing general transportation aids payable to counties.

13 **160.** Page 158, line 8: decrease the dollar amount for fiscal year 1997–98 by
14 \$10,223,700 and decrease the dollar amount for fiscal year 1998–99 by \$17,020,300
15 for the purpose of reducing general transportation aids payable to municipalities.

16 **161.** Page 158, line 11: delete lines 11 and 12.

17 **162.** Page 158, line 14: delete “and demand management”.

18 **163.** Page 158, line 19: decrease the dollar amount for fiscal year 1997–98 by
19 \$64,100 and decrease the dollar amount for fiscal year 1998–99 by \$42,100 to
20 decrease funding for the purpose for which the appropriation is made.

21 **164.** Page 158, line 21: decrease the dollar amount for fiscal year 1997–98 by
22 \$517,500 and decrease the dollar amount for fiscal year 1998–99 by \$339,800 to
23 decrease funding for the purpose for which the appropriation is made.

1 **165.** Page 159, line 18: decrease the dollar amount for fiscal year 1997-98 by
2 \$527,800 and decrease the dollar amount for fiscal year 1998-99 by \$878,700 to
3 decrease funding for the purpose for which the appropriation is made.

4 **166.** Page 159, line 19: delete that line.

5 **167.** Page 159, line 22: decrease the dollar amount for fiscal year 1997-98 by
6 \$24,900 and decrease the dollar amount for fiscal year 1998-99 by \$16,500 to
7 decrease funding for the purpose for which the appropriation is made.

8 **168.** Page 159, line 24: decrease the dollar amount for fiscal year 1997-98 by
9 \$74,000 and decrease the dollar amount for fiscal year 1998-99 by \$49,200 to
10 decrease funding for the purpose of expressway policing aids for Milwaukee County.

11 **169.** Page 160, line 4: decrease the dollar amount for fiscal year 1997-98 by
12 \$258,000 and decrease the dollar amount for fiscal year 1998-99 by \$1,112,300 to
13 decrease funding for the purpose for which the appropriation is made.

14 **170.** Page 160, line 6: decrease the dollar amount for fiscal year 1997-98 by
15 \$641,800 and decrease the dollar amount for fiscal year 1998-99 by \$2,610,700 to
16 decrease funding for the purpose for which the appropriation is made.

17 **171.** Page 160, line 8: decrease the dollar amount for fiscal year 1997-98 by
18 \$396,500 and decrease the dollar amount for fiscal year 1998-99 by \$1,605,400 to
19 decrease funding for the purpose for which the appropriation is made.

20 **172.** Page 161, line 17: increase the dollar amount for fiscal year 1997-98 by
21 \$9,700 and increase the dollar amount for fiscal year 1998-99 by \$992,600 to
22 increase funding for the local bridge improvement assistance program.

1 **173.** Page 162, line 8: increase the dollar amount for fiscal year 1997–98 by
2 \$500,000 for the purpose of railroad crossing protection device maintenance.

3 **174.** Page 162, line 10: decrease the dollar amount for fiscal year 1997–98 by
4 \$500,000 to decrease funding for railroad crossing protection device installation.

5 **175.** Page 164, line 11: increase the dollar amount for fiscal year 1997–98 by
6 \$13,400,000 and increase the dollar amount for fiscal year 1998–99 by \$17,400,000
7 to increase funding for the purpose of major highway development.

8 **176.** Page 164, line 19: increase the dollar amount for fiscal year 1997–98 by
9 \$132,300 and increase the dollar amount for fiscal year 1998–99 by \$132,300 to
10 increase funding for the purposes for which the appropriation is made.

11 **177.** Page 164, line 19: decrease the dollar amount for fiscal year 1997–98 by
12 \$200,000 and decrease the dollar amount for fiscal year 1998–99 by \$100,000 to
13 decrease funding for preliminary engineering costs for a light rail transit system
14 associated with a Milwaukee east–west transportation corridor.

15 **178.** Page 165, line 6: decrease the dollar amount for fiscal year 1997–98 by
16 \$832,100 and decrease the dollar amount for fiscal year 1998–99 by \$857,000 to
17 decrease funding for the state trunk highway maintenance program.

18 **179.** Page 165, line 12: increase the dollar amount for fiscal year 1997–98 by
19 \$73,600 and increase the dollar amount for fiscal year 1998–99 by \$73,600 to
20 increase funding for the purposes for which the appropriation is made.

21 **180.** Page 166, line 3: increase the dollar amount for fiscal year 1997–98 by
22 \$91,000 and increase the dollar amount for fiscal year 1998–99 by \$91,000 to
23 increase funding for the purposes for which the appropriation is made.

1 positions for the purpose of providing chaplains at the Racine Correctional
2 Institution, Oshkosh Correctional Institution, Dodge Correctional Institution,
3 Jackson County Correctional Institution and the correctional institution authorized
4 under 1997 Wisconsin Act 4, section 4 (1) (a).

5 **187.** Page 170, line 8: decrease the dollar amount for fiscal year 1997–98 by
6 \$155,000 and decrease the dollar amount for fiscal year 1998–99 by \$203,500 to
7 decrease the authorized FTE positions for the department of corrections by 5.5 GPR
8 positions, for the purpose of providing probation and parole services.

9 **188.** Page 170, line 8: decrease the dollar amount for fiscal year 1997–98 by
10 \$950,000 and decrease the dollar amount for fiscal year 1998–99 by \$1,250,000 to
11 decrease the authorized FTE positions for the department of corrections by 32.2 GPR
12 positions for the performance of services for community corrections.

13 **189.** Page 171, line 1: decrease the dollar amount for fiscal year 1997–98 by
14 \$900,000 and decrease the dollar amount for fiscal year 1998–99 by \$900,000 to
15 decrease funding for the purpose for which the appropriation is made.

16 **190.** Page 172, line 2: increase the dollar amount for fiscal year 1997–98 by
17 \$3,425,600 and increase the dollar amount for fiscal year 1998–99 by \$3,425,600 for
18 the purpose for which the appropriation is made.

19 **191.** Page 173, line 6: decrease the dollar amount for fiscal year 1997–98 by
20 \$60,100 and decrease the dollar amount for fiscal year 1998–99 by \$60,100 to
21 decrease funding to reflect the elimination of the gang violence prevention council.

22 **192.** Page 175, line 3: decrease the dollar amount for fiscal year 1997–98 by
23 \$49,700 and decrease the dollar amount for fiscal year 1998–99 by \$49,700 to
24 decrease funding for the purposes for which the appropriation is made.

1 **218.** Page 216, line 3: decrease the dollar amount for fiscal year 1997-98 by
2 \$211,000 and decrease the dollar amount for fiscal year 1998-99 by \$211,000 to
3 decrease funding for the purposes for which the appropriation is made.

4 **219.** Page 216, line 13: increase the dollar amount for fiscal year 1997-98 by
5 \$25,000 and increase the dollar amount for fiscal year 1998-99 by \$25,000 to
6 increase funding for the purpose for which the appropriation is made.

7 **220.** Page 216, line 19: on lines 19, 21 and 23, after "information" insert
8 "board".

9 **221.** Page 217, line 12: decrease the dollar amount for fiscal year 1997-98 by
10 \$730,000 and decrease the dollar amount for fiscal year 1998-99 by \$740,000 to
11 decrease funding for the purpose for which the appropriation is made.

12 **222.** Page 224, line 14: decrease the dollar amount for fiscal year 1997-98 by
13 \$14,000 and decrease the dollar amount for fiscal year 1998-99 by \$14,000 for the
14 purpose for which the appropriation is made.

15 **223.** Page 224, line 16: decrease the dollar amount for fiscal year 1997-98 by
16 \$50,000 and decrease the dollar amount for fiscal year 1998-99 by \$50,000 for the
17 purpose for which the appropriation is made.

18 **224.** Page 226, line 11: decrease the dollar amount for fiscal year 1997-98 by
19 \$500 and decrease the dollar amount for fiscal year 1998-99 by \$500 to reflect the
20 elimination of the elections advisory council.

21 **225.** Page 227, line 16: delete the material beginning with that line and
22 ending with page 228, line 2.

1 **226.** Page 229, line 8: increase the dollar amount for fiscal year 1997-98 by
2 \$75,000 and increase the dollar amount for fiscal year 1998-99 by \$75,000 to
3 increase funding for the purpose for which the appropriation is made.

4 **227.** Page 229, line 10: decrease the dollar amount for fiscal year 1997-98 by
5 \$75,000 and decrease the dollar amount for fiscal year 1998-99 by \$75,000 to
6 decrease funding for the purpose for which the appropriation is made.

7 **228.** Page 232, line 11: decrease the dollar amount for fiscal year 1997-98 by
8 \$14,700 and decrease the dollar amount for fiscal year 1998-99 by \$14,700 to
9 decrease funding for the purposes for which the appropriation is made.

10 **229.** Page 234, line 3: decrease the dollar amount for fiscal year 1997-98 by
11 \$179,800 and decrease the dollar amount for fiscal year 1998-99 by \$179,800 to
12 decrease funding for the purposes for which the appropriation is made.

13 **230.** Page 234, line 12: before that line insert:

14 “(ge) Vending machine permits PR A 466,200 342,300”.

15 **231.** Page 241, line 7: increase the dollar amount for fiscal year 1998-1999
16 by \$900 for the additional circuit court branch in Oconto County.

17 **232.** Page 241, line 13: increase the dollar amount for fiscal year 1998-1999
18 by \$54,100 for the additional circuit court branch in Oconto County.

19 **233.** Page 247, line 4: after that line insert:

20 “(ga) Counties’ share of vending ma-
21 chine fees PR C -0- -0-”.

22 **234.** Page 247, line 7: delete that line.

23 **235.** Page 249, line 8: after that line insert:

1 “(f) Supplemental title fee matching GPR S –0– –0–”.

2 **236.** Page 251, line 12: decrease the dollar amount for fiscal year 1997–98 by
3 \$3,900 and decrease the dollar amount for fiscal year 1998–99 by \$3,900 to decrease
4 funding for the purposes for which the appropriation is made.

5 **237.** Page 251, line 15: decrease the dollar amount for fiscal year 1997–98 by
6 \$100 and decrease the dollar amount for fiscal year 1998–99 by \$100 to decrease
7 funding for the purposes for which the appropriation is made.

8 **238.** Page 253, line 6: decrease the dollar amount for fiscal year 1997–98 by
9 \$36,000 and decrease the dollar amount for fiscal year 1998–99 by \$36,000 to
10 decrease funding for the purposes for which the appropriation is made.

11 **239.** Page 253, line 10: decrease the dollar amount for fiscal year 1997–98 by
12 \$83,600 and decrease the dollar amount for fiscal year 1998–99 by \$83,600 to
13 decrease funding for the purposes for which the appropriation is made.

14 **240.** Page 253, line 12: decrease the dollar amount for fiscal year 1997–98 by
15 \$500 and decrease the dollar amount for fiscal year 1998–99 by \$500 to decrease
16 funding for the purposes for which the appropriation is made.

17 **241.** Page 253, line 13: decrease the dollar amount for fiscal year 1997–98 by
18 \$4,600 and decrease the dollar amount for fiscal year 1998–99 by \$4,600 to decrease
19 funding for the purposes for which the appropriation is made.

20 **242.** Page 255, line 3: decrease the dollar amount for fiscal year 1997–98 by
21 \$7,000 and decrease the dollar amount for fiscal year 1998–99 by \$7,000 to decrease
22 funding for the purposes for which the appropriation is made.

1 **243.** Page 255, line 3: increase the dollar amount for fiscal year 1997-98 by
2 \$3,330,000 and increase the dollar amount for fiscal year 1998-99 by \$6,670,000 for
3 the purpose of making lapses to offset unbudgeted increases in the cost of state
4 employe compensation, employer fringe benefits costs and related adjustments.

5 **244.** Page 255, line 3: decrease the dollar amount for fiscal year 1997-98 by
6 \$1,400,000 to decrease funding for the specific purpose of funding the
7 recommendations of the joint legislative council's special committee on prevention
8 of child abuse.

9 **245.** Page 255, line 3: increase the dollar amount for fiscal year 1997-98 by
10 \$1,400,000 to increase funding for the purposes for which the appropriation is made.

11 **246.** Page 262, line 4: after that line insert:

12 “SECTION 172. 20.115 (4) (c) of the statutes is amended to read:

13 20.115 (4) (c) (title) ~~Research and development grants~~ Agricultural investment
14 aids. Biennially, the amounts in the schedule for agricultural research and
15 development grants under s. 93.46 (2) and sustainable agriculture grants under s.
16 93.47.”.

17 **247.** Page 263, line 5: delete lines 5 to 8.

18 **248.** Page 263, line 13: after that line insert:

19 “SECTION 178e. 20.115 (7) (f) of the statutes is created to read:

20 20.115 (7) (f) *Principal repayment and interest; nonpoint source water pollution*
21 *abatement*. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of
22 principal and interest costs incurred in providing funds for nonpoint source water
23 pollution abatement projects under s. 281.65 and to make the payments determined

1 by the building commission under s. 13.488 (1) (m) that are attributable to the
2 proceeds of obligations incurred in financing those projects.”.

3 **249.** Page 265, line 1: delete “*loans.*” and substitute “*grant program.*”.

4 **250.** Page 265, line 1: delete “for loans” and substitute “for grants”.

5 **251.** Page 265, line 5: after “schedule” insert “for grants under s. 560.615.”.

6 **252.** Page 266, line 11: delete lines 11 to 13.

7 **253.** Page 268, line 2: after “*program*” insert “; *recycling fund*”.

8 **254.** Page 268, line 7: after that line insert:

9 “**SECTION 202m.** 20.143 (1) (qm) of the statutes is created to read:

10 20.143 (1) (qm) *Brownfields grant program; environmental fund.* From the
11 environmental fund, the amounts in the schedule for grants under s. 560.13.”.

12 **255.** Page 272, line 20: delete “(4) and 562.09 (2) (e)” and substitute “(4) and,
13 562.09 (2) (e) and 562.124 (2)”.

14 **256.** Page 272, line 21: after “account.” insert “Annually, of the moneys
15 received under this appropriation account, an amount equal to 14% of the amount
16 in the schedule under s. 20.435 (7) (kg) shall be transferred to the appropriation
17 account under s. 20.435 (7) (kg).”.

18 **257.** Page 273, line 1: delete lines 1 to 3 and substitute:

19 “**SECTION 229m.** 20.197 (1) (h) of the statutes is renumbered 20.505 (8) (h) and
20 amended to read:

21 20.505 (8) (h) (title) *General program operations; Indian gaming regulation.*
22 The amounts in the schedule for general program operations under ch. 569. All
23 Indian gaming receipts, as defined in s. 569.01 (1m), less the amounts appropriated

1 under s. 20.455 (2) (gc), shall be credited to this appropriation account. Annually, of
2 the moneys received under this appropriation account, an amount equal to 50% of
3 the amount in the schedule under s. 20.435 (7) (kg) shall be transferred to the
4 appropriation account under s. 20.435 (7) (kg).”.

5 **258.** Page 273, line 18: delete lines 18 to 22 and substitute:

6 “**SECTION 233rb.** 20.215 (1) (k) of the statutes is repealed.

7 **SECTION 233re.** 20.215 (1) (ka) of the statutes is repealed.”.

8 **259.** Page 276, line 20: after that line insert:

9 “**SECTION 243j.** 20.245 (3) (h) of the statutes is amended to read:

10 20.245 (3) (h) *Gifts and grants.* All moneys received from gifts and grants,
11 including those made to the historical markers council under s. 44.15, grants and
12 bequests, except moneys that are otherwise specifically appropriated, for the historic
13 preservation program under subch. II of ch. 44.”.

14 **260.** Page 278, line 12: delete lines 12 to 18 and substitute:

15 “20.255 (1) (a) *General program operations.* The amounts in the schedule for
16 the improvement of curriculum, instruction and educational resources for local
17 educational agencies, and the improvement of library services and the
18 administration of higher educational aids. The amounts include the matching of
19 federal funds available under applicable federal acts or programs. At least \$5,000
20 of the amounts in the schedule in each fiscal year shall be allocated for support of the
21 governor’s council on business and education partnerships.”.

22 **261.** Page 279, line 2: after “s. 118.30” insert “and for the review and
23 modification of academic standards, as provided under 1997 Wisconsin Act ... (this
24 act), section 9140 (5r)”.

1 **262.** Page 279, line 7: after that line insert:

2 “**SECTION 253m.** 20.255 (2) (cg) of the statutes is amended to read:

3 20.255 (2) (cg) (title) *Tuition payments; full-time open enrollment transfer*
4 *payments.* The amounts in the schedule for payment of tuition under subch. V of ch.
5 121 and full-time open enrollment transfer payments under s. 118.51 (16) (b) 2.”.

6 **263.** Page 279, line 7: after that line insert:

7 “**SECTION 253k.** 20.255 (2) (ac) of the statutes is amended to read:

8 20.255 (2) (ac) *General equalization aids.* A sum sufficient for the payment of
9 educational aids under ss. 121.08, 121.09 and 121.105 and subch. VI of ch. 121 equal
10 to the amount determined by the joint committee on finance under s. 121.15 (3m) (c)
11 less the amount appropriated under par. (bi).

12 **SECTION 253p.** 20.255 (2) (bi) of the statutes is created to read:

13 20.255 (2) (bi) *Additional aid for county handicapped children’s education*
14 *boards.* The amounts in the schedule for additional aid to county handicapped
15 children’s education boards under 1997 Wisconsin Act (this act), section 9140
16 (6m). No moneys may be expended or encumbered from this appropriation after June
17 30, 1998.”.

18 **264.** Page 279, line 12: delete lines 12 to 15 and substitute:

19 “**SECTION 255m.** 20.255 (2) (cw) of the statutes is amended to read:

20 20.255 (2) (cw) (title) *Aid for transportation to institutions of higher education;*
21 *part-time open enrollment.* The amounts in the schedule for the payment of state aid
22 for the transportation of pupils attending an institution of higher education under
23 s. ~~118.37~~ 118.55 (7g) and for the reimbursement of parents for the costs of
24 transportation of pupils who are eligible for assistance under s. 118.52 (11) (b).

1 **SECTION 256m.** 20.255 (2) (cy) of the statutes is created to read:

2 20.255 (2) (cy) *Aid for transportation; full-time open enrollment.* The amounts
3 in the schedule to reimburse parents for the costs of transportation of full-time open
4 enrollment pupils under s. 118.51 (14) (b).”.

5 **265.** Page 280, line 7: after that line insert:

6 “**SECTION 260m.** 20.255 (2) (fr) of the statutes is created to read:

7 20.255 (2) (fr) *Charter schools established by cooperative educational service*
8 *agency no. 6.* A sum sufficient to make payments under s. 118.40 (3m) (a) to charter
9 schools established by the board of control of cooperative educational service agency
10 no. 6.”.

11 **266.** Page 284, line 18: after that line insert:

12 “(tm) *Educational telecommunications access support; private schools.*
13 Biennially, from the universal service fund, the amounts in the schedule to make
14 payments to telecommunications providers under contracts with the department of
15 administration under s. 16.974 (7) (c) to the extent that the amounts due are not paid
16 from the appropriation under s. 20.505 (1) (is).”.

17 **267.** Page 287, line 1: before “for” insert “and”.

18 **268.** Page 287, line 3: delete “and for funding financial aid under s. 36.11
19 (6m)”.

20 **269.** Page 287, line 7: delete lines 7 to 11 and substitute:

21 “20.285 (1) (ip) *Extension student fees.* Except as provided under pars. (Lm)
22 and (Ls), all moneys received from academic student fees at the University of
23 Wisconsin-Extension, for credit outreach instruction sponsored by the University of
24 Wisconsin-Extension.”.

1 **270.** Page 289, line 7: delete lines 7 to 19.

2 **271.** Page 296, line 4: substitute “(7) (gq)” for “(7) (gh)”.

3 **272.** Page 296, line 6: substitute “(gq)” for “(gh)”.

4 **273.** Page 300, line 10: after that line insert:

5 “**SECTION 323m.** 20.370 (1) (Lt) of the statutes is created to read:

6 20.370 (1) (Lt) *Wildlife abatement and control grants.* Biennially, the amounts
7 in the schedule from moneys received under s. 29.092 (14) (c) for wildlife abatement
8 and control grants under s. 29.595. No moneys may be expended under this
9 appropriation without the approval of the joint committee on finance under s. 29.598
10 (6).”.

11 **274.** Page 303, line 24: after that line insert:

12 “**SECTION 341s.** 20.370 (2) (da) of the statutes is created to read:

13 20.370 (2) (da) *Solid waste management — tire manufacturing waste.* The
14 amounts in the schedule to abate nuisances caused by solid waste resulting from
15 manufacturing tires under s. 289.55.”.

16 **275.** Page 304, line 8: delete “292.21 (1) (c) 1. d.”.

17 **276.** Page 304, line 17: delete lines 17 to 20.

18 **277.** Page 310, line 22: delete “*Illinois Fox River study and*”.

19 **278.** Page 310, line 23: delete “*dredging*” and substitute “; *Southeastern*
20 *Wisconsin Fox River commission; Wisconsin lake schooner*”.

21 **279.** Page 310, line 25: delete “Illinois Fox River study and dredging under
22 s. 31.307” and substitute “projects, plans and responsibilities of the Southeastern
23 Wisconsin Fox River commission under s. 33.54 (2), for the financial assistance to

1 construct a tall sailing ship under 1997 Wisconsin Act ... (this act), section 9137
2 (12p).”.

3 **280.** Page 311, line 2: after that line insert:

4 “**SECTION 378o.** 20.370 (5) (cq) of the statutes, as affected by 1997 Wisconsin
5 Act (this act) is repealed and recreated to read:

6 20.370 (5) (cq) *Recreation aids -- recreational boating projects; Portage levee*
7 *system; Milwaukee river study; Black Point Estate; Southeastern Wisconsin Fox River*
8 *commission.* As a continuing appropriation, the amounts in the schedule for
9 recreational boating aids under s. 30.92, for the grant for Black Point Estate under
10 s. 23.0962, for the projects, plans and responsibilities of the Southeastern Wisconsin
11 Fox River commission under s. 33.54 (2), for the Portage levee system under s. 31.309
12 and for the engineering and environmental study under s. 31.307.”.

13 **281.** Page 312, line 1: delete lines 1 to 7 and substitute:

14 “20.370 (5) (fq) *Wildlife damage claims and abatement.* All moneys received
15 under ss. 29.092 (14) and 29.1075 (3) and not appropriated under sub. (1) (Ls) and
16 (Lt) to provide state aid under the wildlife damage abatement program under s.
17 29.598 (5) (c) and the wildlife damage claim program under s. 29.598 (7) (d) and for
18 county administration costs under s. 29.598 (2) (d).

19 **SECTION 381t.** 20.370 (5) (fq) of the statutes, as affected by 1997 Wisconsin Act
20 (this act), is repealed and recreated to read:

21 20.370 (5) (fq) *Wildlife damage claims and abatement.* All moneys received
22 under ss. 29.092 (14) and 29.1075 (3) and not appropriated under sub. (1) (Ls) and
23 (Lt) to provide state aid under the wildlife damage claim and abatement program

1 under s. 29.598. No moneys may be expended under this appropriation without the
2 approval of the joint committee on finance under s. 29.598 (6).”.

3 **282.** Page 316, line 7: delete lines 7 and 8 and substitute “program under s.
4 20.866 (2) (tz), but not including payments made under sub.”.

5 **283.** Page 316, line 9: after “(ac)” insert “, (au) and (av)”.

6 **284.** Page 317, line 4: after that line insert:

7 “**SECTION 414b.** 20.370 (7) (av) of the statutes is created to read:

8 20.370 (7) (av) *Recreational boating properties acquisition and development —*
9 *principal repayment and interest.* From the conservation fund, the amounts in the
10 schedule to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs
11 incurred in financing land acquisition and development of properties relating to
12 recreational boating from the appropriation under s. 20.866 (2) (tz).

13 **SECTION 414c.** 20.370 (7) (av) of the statutes, as created by 1997 Wisconsin Act
14 (this act), is repealed.”.

15 **285.** Page 324, line 23: delete “~~and,~~” and substitute “and”.

16 **286.** Page 324, line 24: delete “(2m)” and substitute “(2x)”.

17 **287.** Page 326, line 4: delete lines 4 to 9 and substitute:

18 “**SECTION 467m.** 20.395 (1) (bs) of the statutes is repealed.”.

19 **288.** Page 326, line 21: delete lines 21 to 23.

20 **289.** Page 327, line 8: delete “(ag) 1” and substitute “(a) 6”.

21 **290.** Page 327, line 11: delete “(ag) 2” and substitute “(a) 7”.

22 **291.** Page 327, line 14: delete “(ag) 3” and substitute “(a) 8”.

1 **292.** Page 332, line 7: after “84.02 (8);” insert “for review of drainage plans
2 under s. 85.195 (3);”.

3 **293.** Page 335, line 18: delete “(bs), (bv) or”.

4 **294.** Page 336, line 16: delete “(bs), (bv) or”.

5 **295.** Page 336, line 18: delete that line.

6 **296.** Page 337, line 2: delete “(bs), (bv) or”.

7 **297.** Page 338, line 3: after that line insert:

8 “**SECTION 500m.** 20.395 (5) (er) of the statutes is created to read:

9 20.395 (5) (er) *Ignition interlock device program, state funds.* All moneys
10 received under ss. 343.10 (6) (b) and 343.21 (1) (j) 2. that are credited to this
11 appropriation, for the ignition interlock device program under s. 110.10, for
12 educational and informational materials and technical equipment related to that
13 program and for grants under s. 85.55.”.

14 **298.** Page 341, line 8: delete lines 8 to 12 and substitute:

15 “**SECTION 514d.** 20.410 (3) (a) of the statutes is amended to read:

16 20.410 (3) (a) *General program operations.* The amounts in the schedule to
17 operate the department’s juvenile correctional institutions, and to provide field
18 services and administrative services ~~and to provide for the operating costs of the~~
19 ~~gang violence prevention council.~~”.

20 **299.** Page 343, line 25: delete the material beginning with that line and
21 ending with page 344, line 4.

22 **300.** Page 346, line 6: after that line insert:

23 “**SECTION 541m.** 20.435 (1) (dg) of the statutes is created to read:

1 20.435 (1) (dg) *Tobacco prevention and education program*. The amounts in the
2 schedule for the tobacco prevention and education program under s. 255.10.”.

3 **301.** Page 349, line 16: substitute “**568g.**” for “**568g**”.

4 **302.** Page 354, line 11: after that line insert:

5 “**SECTION 584r.** 20.435 (3) (ke) of the statutes is created to read:

6 20.435 (3) (ke) *Tribal kinship care*. All moneys transferred from the
7 appropriation accounts under s. 20.445 (3) (d) and (p), 1995 stats., under 1997
8 Wisconsin Act (this act), section 9226 (1n), for payments to federally recognized
9 American Indian tribes or bands in reimbursement of payments made under s. 48.57
10 (3m).

11 **SECTION 584t.** 20.435 (3) (ke) of the statutes, created by 1997 Wisconsin Act
12 (this act), is repealed.”.

13 **303.** Page 354, line 11: delete “20.455” and substitute “20.445”.

14 **304.** Page 356, line 11: after that line insert:

15 “**SECTION 592h.** 20.435 (5) (gh) of the statutes is created to read:

16 20.435 (5) (gh) *Health insurance risk-sharing plan; premium reduction*. All
17 moneys received from the plan administrator under s. 149.143 (2) (a) 1. c., to be used
18 as specified in s. 149.143 (1) (b) 1. b.”.

19 **305.** Page 356, line 11: after “(b)” insert “and (6m)”.

20 **306.** Page 357, line 21: delete lines 21 and 22 and substitute “the schedule for
21 services for related to drivers. ~~Of the~~ All moneys received by”.

22 **307.** Page 358, line 2: delete lines 2 and 3 and substitute “appropriation. The
23 moneys remaining may be transferred to sub. (7) (hy) and ss. 20.255 (1) (hm)”.

1 **308.** Page 359, line 12: delete “all” and substitute “, all”.

2 **309.** Page 360, line 25: delete the material beginning with that line and
3 ending with page 361, line 5.

4 **310.** Page 361, line 5: after that line insert:

5 “**SECTION 607m.** 20.435 (7) (kg) of the statutes is created to read:

6 20.435 (7) (kg) *Compulsive gambling awareness campaigns.* The amounts in
7 the schedule for the purpose of awarding grants under s. 46.03 (43). All moneys
8 transferred from ss. 20.505 (8) (g) and (h) and 20.566 (8) (q) shall be credited to this
9 appropriation account.”.

10 **311.** Page 361, line 7: delete “*and intra-agency*”.

11 **312.** Page 361, line 13: delete “and (hx)”.

12 **313.** Page 361, line 17: delete “*and intra-agency*”.

13 **314.** Page 361, line 22: delete “sub. (6)” and substitute “sub. (6)”.

14 **315.** Page 361, line 23: delete “(hx) and under” and substitute “under”.

15 **316.** Page 370, line 18: delete “or 49.19 (4) (h) 1.” and substitute “, 49.19 (4)
16 (h) 1. b. or 49.775 (2) (bm).”.

17 **317.** Page 370, line 19: delete “b.”.

18 **318.** Page 371, line 11: after that line insert:

19 “**SECTION 642g.** 20.445 (6) (u) of the statutes is amended to read:

20 20.445 (6) (u) *General enrollee operations; conservation fund.* Biennially, from
21 the conservation fund, the amounts in the schedule for the payment of Wisconsin
22 conservation corps enrollee compensation and for the payment of other Wisconsin
23 conservation corps costs for ~~conservation~~ activities authorized under s. 106.215 (7)

1 (a) or (c) if those costs are not paid by project sponsors. Corps enrollee compensation
2 includes the cost of salaries, benefits, incentive payments and vouchers.”.

3 **319.** Page 371, line 19: after that line insert:

4 “**SECTION 642q.** 20.455 (1) (d) of the statutes is amended to read:

5 20.455 (1) (d) *Legal expenses.* Biennially, the amounts in the schedule for the
6 payment of expenses, except staff salaries and fringe benefits, incurred by the
7 department of justice in the prosecution or defense of any action or proceeding in
8 which the state may be a party or may have an interest, in the prosecution of any
9 action or proceeding brought under s. 165.251, for any abstract of title, clerk of court’s
10 fees, sheriff’s fees or any other expense actually necessary to the prosecution or
11 defense of those cases, for the payment of expenses incurred where the department
12 of justice is not involved, and where the statutes provide that those expenses shall
13 be paid from this appropriation, unless the cost or expenses are charged to some
14 other appropriation.”.

15 **320.** Page 373, line 7: delete that line and substitute “under par. (j) (kj) the
16 amounts in the schedule under par. (kj).”.

17 **321.** Page 373, line 16: after that line insert:

18 “**SECTION 646r.** 20.455 (5) (j) of the statutes is renumbered 20.455 (5) (kj).”.

19 **322.** Page 373, line 16: delete “(j) the amounts in the schedule under par. (j).”
20 and substitute “(kj) the amounts in the schedule under par. (kj).”.

21 **323.** Page 374, line 17: after that line insert:

22 “**SECTION 651d.** 20.465 (3) (dt) of the statutes, as affected by 1997 Wisconsin
23 Act (this act), is repealed and recreated to read:

1 20.465 (3) (dt) *Emergency response training*. Biennially, the amounts in the
2 schedule for the division of emergency management to provide training for
3 emergency response to releases of hazardous substances.

4 **SECTION 651g.** 20.465 (3) (i) of the statutes is amended to read:

5 20.465 (3) (i) *Emergency planning and reporting; administration*. From the
6 moneys received by the ~~state emergency response board~~ division of emergency
7 management from fees assessed under s. 166.20 (7), the amounts in the schedule for
8 emergency planning, notification and response and reporting activities under s.
9 166.20 and administration of the grant program under s. 166.21.

10 **SECTION 651m.** 20.465 (3) (j) of the statutes is amended to read:

11 20.465 (3) (j) (title) ~~State emergency response board~~ Division of emergency
12 management; gifts and grants. All moneys received as gifts and grants by the ~~state~~
13 ~~emergency response board~~ division of emergency management, to be used for the
14 purposes for which made.”.

15 **324.** Page 374, line 25: after that line insert:

16 “**SECTION 652am.** 20.465 (3) (jm) of the statutes, as affected by 1997 Wisconsin
17 Act (this act), is repealed and recreated to read:

18 20.465 (3) (jm) *Division of emergency management; emergency planning*
19 *grants*. All moneys received by the division of emergency management from fees
20 assessed under s. 166.20 (7), except moneys appropriated under par. (i) for the
21 payment of grants under s. 166.21, except grants under s. 166.21 (2) (br).

22 **SECTION 652ap.** 20.465 (3) (jt) of the statutes is amended to read:

23 20.465 (3) (jt) *Regional emergency response reimbursement*. All moneys
24 received by the ~~state emergency response board~~ division of emergency management

1 under s. 166.215 (3) for reimbursement of regional emergency response teams under
2 s. 166.215 (2).”.

3 **325.** Page 375, line 5: after that line insert:

4 “**SECTION 652bh.** 20.465 (3) (r) (title) of the statutes is amended to read:

5 20.465 (3) (r) (title) ~~State emergency response board~~ Division of emergency
6 management; petroleum inspection fund.”.

7 **326.** Page 376, line 17: after that line insert:

8 “**SECTION 652y.** 20.465 (3) (t) of the statutes is amended to read:

9 20.465 (3) (t) *Emergency response training — environmental fund.* Biennially,
10 from the environmental fund, the amounts in the schedule for the ~~state emergency~~
11 ~~response board~~ division of emergency management to provide training for
12 emergency response to releases of hazardous substances and for providing
13 equipment under 1989 Wisconsin Act 31, section 3039 (1q).”.

14 **327.** Page 378, line 21: delete “The amounts” and substitute “Biennially, the
15 amounts”.

16 **328.** Page 379, line 24: delete the material beginning with that line and
17 ending with page 380, line 5.

18 **329.** Page 380, line 1: delete “*brownsfields*” and substitute “*brownfields*”.

19 **330.** Page 388, line 22: after that line insert:

20 “**SECTION 695n.** 20.512 (2) of the statutes is repealed.”.

21 **331.** Page 390, line 10: delete that line.

22 **332.** Page 391, line 7: after that line insert:

23 “**SECTION 700m.** 20.566 (1) (ge) of the statutes is created to read:

1 20.566 (1) (ge) *Vending machine permits*. The amounts in the schedule for
2 administration of vending machine permits, enforcement costs and contract
3 enforcement costs under subch. V of ch. 139. From the amounts collected under that
4 subchapter, \$2 for each \$10 permit and \$8 for each other permit issued under that
5 subchapter and the amount retained by the department of revenue under s. 139.982
6 (2) shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a),
7 at the end of each fiscal year, the unencumbered balance of this appropriation
8 account, minus an amount equal to 10% of the sum of the amounts expended and the
9 amounts encumbered from the account during the fiscal year, shall lapse to the
10 general fund.”.

11 **333.** Page 391, line 17: after that line insert:

12 “**SECTION 704g.** 20.566 (8) (q) of the statutes is amended to read:

13 20.566 (8) (q) *General program operations*. From the lottery fund, the amounts
14 in the schedule for general program operations under ch. 565. Annually, of the
15 moneys appropriated under this paragraph, an amount equal to 36% of the amount
16 in the schedule under s. 20.435 (7) (kg) shall be transferred to the appropriation
17 account under s. 20.435 (7) (kg).”.

18 **334.** Page 397, line 13: after that line insert:

19 “**SECTION 717r.** 20.835 (4) (ga) of the statutes is created to read:

20 20.835 (4) (ga) *Counties’ share of vending machine fees*. From the amounts
21 collected under s. 139.981 (2), \$1 for each permit that is issued for a vending machine
22 that is located in a county that imposes a tax under subch. V of ch. 77, for payment
23 to the county in which the vending machine is located.”.

24 **335.** Page 397, line 14: delete lines 14 to 17.

1 **336.** Page 397, line 19: delete “Ninety-eight and one-half percent” and
2 substitute “Ninety-seven percent of the moneys received from the tax imposed under
3 subch. X of ch. 77 for reporting periods beginning before January 1, 2000, and 98.7%”.

4 **337.** Page 397, line 20: after “ch. 77” insert “for reporting periods beginning
5 on or after January 1, 2000”.

6 **338.** Page 398, line 2: after that line insert:

7 “**SECTION 719r.** 20.855 (4) (f) of the statutes is created to read:

8 20.855 (4) (f) *Supplemental title fee matching.* From the general fund, a sum
9 sufficient equal to the amount of supplemental title fees collected under s. 342.14
10 (3m), as determined under s. 85.037, to be transferred to the environmental fund on
11 October 1 annually.”.

12 **339.** Page 398, line 14: delete that line.

13 **340.** Page 398, line 21: after “20.115 (2) (d)” insert “and (7) (f)”.

14 **341.** Page 398, line 24: after “(au),” insert “(av).”

15 **342.** Page 399, line 8: after “20.115 (2) (d)” insert “and (7) (f)”.

16 **343.** Page 400, line 7: increase the underscored dollar amount by \$1,000,000.

17 **344.** Page 400, line 24: increase the underscored dollar amount by \$112,800.

18 **345.** Page 400, line 24: increase the underscored dollar amount by
19 \$7,800,000.

20 **346.** Page 401, line 2: delete “~~66.905 (2) (b)~~ 560.036” and substitute “66.905
21 (2) (b)”.

22 **347.** Page 401, line 3: delete “(2m) (b) 2”.

23 **348.** Page 403, line 11: delete lines 11 to 19.

1 **349.** Page 406, line 15: after that line insert:

2 “**SECTION 735ag.** 20.866 (2) (we) of the statutes is created to read:

3 20.866 (2) (we) *Agriculture; nonpoint source water pollution abatement.* From
4 the capital improvement fund, a sum sufficient for the department of agriculture,
5 trade and consumer protection to provide for nonpoint source water pollution
6 abatement under s. 281.65. The state may contract public debt in an amount not to
7 exceed \$2,000,000 for this purpose.”.

8 **350.** Page 408, line 21: substitute “are” for “is”.

9 **351.** Page 408, line 23: delete lines 23 and 24 and substitute:

10 “20.866 (2) (z) 1m. g. July 1, 1997, ~~or thereafter~~ to June 30, 1999,
11 \$150,000,000.”.

12 **352.** Page 409, line 5: delete lines 5 to 7 and substitute:

13 “**SECTION 735wm.** 20.866 (2) (z) 1m. i. of the statutes is created to read:

14 20.866 (2) (z) 1m. i. July 1, 1999, or thereafter, \$162,500,000.”.

15 **353.** Page 409, line 12: delete “\$14,500,000” and substitute “\$22,000,000”.

16 **354.** Page 414, line 23: after that line insert:

17 “**SECTION 744e.** 20.905 (1) of the statutes is amended to read:

18 20.905 (1) MANNER OF PAYMENT. Payments to the state may be made in legal
19 tender, postal money order, express money order, bank draft or certified check.
20 Payments to the state may also be made by personal check or individual check drawn
21 in the ordinary course of business unless otherwise required by individual state
22 agencies. Payments to the state made by a debit or credit card approved by the
23 ~~depository selection board~~ state treasurer may be accepted by state agencies. Prior
24 to authorizing the use of a card, the ~~depository selection board~~ state treasurer shall

1 determine how any charges associated with the use of the card shall be paid, unless
2 the method of payment of such charges is specified by law.

3 **SECTION 744m.** 20.905 (2) of the statutes is amended to read:

4 20.905 (2) PROTESTED PAYMENT. If a personal check tendered to make any
5 payment to the state is not paid by the bank on which it is drawn, or if a demand for
6 payment under a debit or credit card transaction is not paid by the bank upon which
7 demand is made, the person by whom the check has been tendered or the person
8 entering into the debit or credit card transaction shall remain liable for the payment
9 of the amount for which the check was tendered or the amount agreed to be paid by
10 debit or credit card and for all legal penalties, additions and a charge set by the
11 ~~depository selection board~~ state treasurer which is comparable to charges for unpaid
12 drafts made by establishments in the private sector. In addition, the officer to whom
13 the check was tendered or to whom the debit or credit card was presented may, if
14 there is probable cause to believe that a crime has been committed, provide any
15 information or evidence relating to the crime to the district attorney of the county
16 having jurisdiction over the offense for prosecution as provided by law. If any license
17 has been granted upon any such check or any such debit or credit card transaction,
18 the license shall be subject to cancellation for the nonpayment of the check or failure
19 of the bank to honor the demand for payment authorized by debit or credit card.

20 **SECTION 744s.** 20.906 (6) of the statutes is amended to read:

21 20.906 (6) DIRECT DEPOSITS. The governor or the state treasurer may require
22 state agencies making deposits under this section to make direct deposits to any
23 depository designated by the ~~depository selection board~~ state treasurer, if such a
24 requirement is advantageous or beneficial to this state.”.

1 **355.** Page 415, line 13: after that line insert:

2 “**SECTION 747m.** 20.920 (2) (c) of the statutes is amended to read:

3 20.920 **(2)** (c) All moneys in a contingent fund, except petty cash accounts
4 established under s. 16.52 (7), shall be deposited in a separate account in a public
5 depository approved by the ~~depository selection board~~ state treasurer. The agency
6 head of each state agency having a contingent fund is responsible for all
7 disbursements from the fund, but the agency head may delegate the responsibility
8 for administration of the fund to a custodian, who shall be an employe of the agency.
9 State agency invoices which qualify for payment from a contingent fund may be paid
10 by check, share draft or other draft drawn by the agency head or custodian against
11 the account. No such invoice need be submitted for audit prior to disbursement.
12 After making each disbursement, the agency head shall file with the secretary a
13 claim for reimbursement of the contingent fund on a voucher which shall be
14 accompanied by a copy of the invoice to be reimbursed. Upon audit and approval of
15 the claim by the secretary, the department of administration shall reimburse the
16 contingent fund with the total amount lawfully paid therefrom.”.

17 **356.** Page 419, line 9: after that line insert:

18 “**SECTION 757s.** 20.923 (6) (o) of the statutes is amended to read:

19 20.923 **(6)** (o) Wisconsin sesquicentennial commission; staff. This paragraph
20 does not apply after June 30, 1999.”.

21 **357.** Page 419, line 9: after that line insert:

22 “**SECTION 757r.** 20.923 (6) (m) of the statutes is amended to read:

1 20.923 (6) (m) University of Wisconsin system: deans, principals, professors,
2 instructors, research assistants, librarians and other teachers, as defined in s. 40.02
3 (55), and the staff of the environmental education board.”.

4 **358.** Page 420, line 24: after that line insert:

5 “SECTION 760f. 20.9275 of the statutes is created to read:

6 **20.9275 Prohibitions on funding for abortion-related activities. (1)** In
7 this section:

8 (a) “Abortion” has the meaning given in s. 253.10 (2) (a).

9 (b) “Local governmental unit” means a city, village, town or county or an agency
10 or subdivision of a city, village, town or county.

11 (c) “Organization” means a nonprofit corporation, as defined in s. 46.93 (1m)
12 (c), or a public agency, as defined in s. 46.93 (1m) (e).

13 (e) “Pregnancy program, project or service” includes a program or project of or
14 services for pregnancy prevention, family planning, as defined in s. 253.07 (1) (a),
15 pregnancy testing, pregnancy counseling, prenatal care, pregnancy services and
16 reproductive health care services that are related to pregnancy.

17 (f) “Program funds” means all of the following funds distributed or attributable
18 to an organization for operation of a pregnancy program, project or service:

19 1. Funds specified under sub. (2) (intro.).

20 2. Income derived from a grant, subsidy or other funding specified under sub.
21 (2) (intro.) or from a pregnancy program, project or service funded by a grant, subsidy
22 or other funding specified under sub. (2) (intro.).

23 3. Funds that are matching funds to a grant, subsidy or other funding specified
24 under sub. (2) (intro.).

1 (g) "State agency" means an office, department, agency, institution of higher
2 education, association, society or other body in state government created or
3 authorized to be created by the constitution or any law, which is entitled to expend
4 moneys appropriated by law, including the legislature, the courts and an authority
5 created in ch. 231 or 233.

6 (2) No state agency or local governmental unit may authorize payment of funds
7 of this state, of any local governmental unit or, subject to sub. (3m), of federal funds
8 passing through the state treasury as a grant, subsidy or other funding that wholly
9 or partially or directly or indirectly involves pregnancy programs, projects or
10 services, including a grant, subsidy or other funding under s. 46.93, 46.995, 46.997,
11 253.05, 253.07, 253.08 or 253.085, if any of the following applies:

12 (a) The pregnancy program, project or service does any of the following:

- 13 1. Provides abortion services.
- 14 2. Promotes, encourages or counsels in favor of abortion services.
- 15 3. Makes direct or indirect abortion referrals in any instance other than when
16 an abortion is directly and medically necessary to save the life of the pregnant
17 woman.

18 (b) The pregnancy program, project or service is funded from any other source
19 that requires, as a condition for receipt of the funds, that the pregnancy program,
20 project or service perform any of the activities specified in par. (a) 1. to 3.

21 (3) Subject to sub. (3m), no organization that receives funds specified under
22 sub. (2) (intro.) may use program funds for an activity that is specified under sub. (2)
23 (a) 1. to 3.

24 (3m) The restriction under subs. (2) and (3) on the authorization of payment
25 and the use of federal funds passing through the state treasury shall apply only to

1 the extent that the application of the restriction does not result in the loss of any
2 federal funds.

3 (4) If an organization that receives funds specified under sub. (2) (intro.)
4 violates sub. (3), all of the following shall apply:

5 (a) The organization may not receive funds specified under sub. (2) (intro.) for
6 24 months after the date on which the state agency or local governmental unit last
7 authorized payment or the date on which the organization, under a pregnancy
8 program, project or service, last violated sub. (3), whichever is later.

9 (b) The grant, subsidy or other funding under which an organization, under a
10 pregnancy program, project or service, has used funds in violation of sub. (3), is
11 terminated; and the organization shall return to the state agency or local
12 governmental unit all funds that have been paid to the organization under the grant,
13 subsidy or other funding.

14 (5) If a state agency or local governmental unit authorizes payment in violation
15 of sub. (2), the grant, subsidy or other funding under which the state agency or local
16 governmental unit authorized payment in violation of sub. (2), is terminated; and the
17 organization shall return to the state agency or local governmental unit funds that
18 have been paid to the organization under the grant, subsidy or other funding.”.

19 **359.** Page 420, line 24: after that line insert:

20 “SECTION 760e. 20.9273 of the statutes is created to read:

21 **20.9273 Prohibition on the use of public employes and public property**
22 **to perform abortions or engage in abortion-related activity. (1)** In this
23 section:

24 (a) “Abortion” has the meaning given in s. 253.10 (2) (a).

1 (b) "Local governmental unit" means a city, village, town or county or an agency
2 or subdivision of a city, village, town or county.

3 (d) "Public property" means a public facility, public institution or other building
4 or part of a building that is owned, leased or controlled by the state, a state agency
5 or a local governmental unit, or any equipment or other physical asset that is owned,
6 leased or controlled by the state, a state agency or a local governmental unit.

7 (e) "State agency" means an office, department, agency, institution of higher
8 education, association, society or other body in state government created or
9 authorized to be created by the constitution or any law, which is entitled to expend
10 moneys appropriated by law, including the legislature, the courts and an authority
11 created in ch. 231 or 233.

12 **(2)** Beginning on the effective date of this subsection [revisor inserts date],
13 no person employed by this state, by a state agency or by a local governmental unit
14 may do any of the following while acting within the scope of his or her employment:

15 (a) Provide abortion services.

16 (b) Promote, encourage or counsel in favor of abortion services.

17 (c) Make direct or indirect abortion referrals in any instance other than when
18 an abortion is directly and medically necessary to save the life of the pregnant
19 woman.

20 **(3)** (a) Except as provided in pars. (b) and (c), beginning on the effective date
21 of this paragraph [revisor inserts date], no public property may be used to do any
22 of the following:

23 1. Provide abortion services.

24 2. Promote, encourage or counsel in favor of abortion services.

1 3. Make direct or indirect abortion referrals in any instance other than when
2 an abortion is directly and medically necessary to save the life of the pregnant
3 woman.

4 (b) Paragraph (a) does not prohibit a private person from using police or fire
5 protection services or any services provided by a public utility.

6 (c) Paragraph (a) does not apply to public property that is leased to a private
7 person under a lease agreement entered into before the effective date of this
8 paragraph [revisor inserts date], until the date on which the lease agreement
9 expires or is extended, modified or renewed.”.

10 **360.** Page 422, line 25: delete that line and substitute “TRAIL. Except as
11 provided in s. 23.0915 (2), the department in each”.

12 **361.** Page 423, line 3: substitute “(a)” for “1.”.

13 **362.** Page 423, line 4: substitute “(b)” for “2.”.

14 **363.** Page 423, line 5: delete lines 5 to 8.

15 **364.** Page 424, line 11: after that line insert:

16 “SECTION 765m. 23.09 (25) (d) of the statutes is repealed.”.

17 **365.** Page 424, line 17: delete lines 17 and 18 and substitute “fiscal year
18 1999–2000, except as provided in pars. (am), (kr), (L), (Lg), (Lr), and (m):”.

19 **366.** Page 424, line 24: substitute “\$8,100,000” for “\$7,100,000”.

20 **367.** Page 425, line 1: delete lines 1 to 11.

21 **368.** Page 425, line 21: delete lines 21 to 24.

22 **369.** Page 425, line 24: after that line insert:

23 “SECTION 766 Lm. 23.0915 (1m) (c) of the statutes is created to read:

1 23.0915 **(1m)** (c) The department may not expend moneys from the
2 appropriation under s. 20.866 (2) (tz) for the acquisition by a city, village or town of
3 land that is outside the boundaries of the city, village or town unless the city, village
4 or town acquiring the land and the city, village or town in which the land is located
5 approve the acquisition.”.

6 **370.** Page 426, line 15: delete “(kg) or”.

7 **371.** Page 426, line 16: delete “(kg) or”.

8 **372.** Page 427, line 12: delete “(kg) or”.

9 **373.** Page 427, line 13: delete “(kg) or”.

10 **374.** Page 429, line 6: delete lines 6 to 17.

11 **375.** Page 429, line 18: delete the material beginning with that line and
12 ending with page 430, line 12.

13 **376.** Page 431, line 9: delete lines 9 to 18.

14 **377.** Page 431, line 23: delete lines 23 and 24.

15 **378.** Page 433, line 5: after that line insert:

16 “**SECTION 767r.** 23.15 (1) of the statutes is amended to read:

17 23.15 **(1)** The natural resources board may sell, at public or private sale or as
18 provided in sub. (2r), lands and structures owned by the state under the jurisdiction
19 of the department of natural resources when the natural resources board determines
20 that said lands are no longer necessary for the state’s use for conservation purposes
21 and, if real property, the real property is not the subject of a petition under s. 16.375
22 (2).

23 **SECTION 767t.** 23.15 (2m) (a) (intro.) of the statutes is amended to read:

1 23.15 **(2m)** (a) (intro.) Notwithstanding sub. (1), the natural resources board
2 shall sell, at fair market value or as provided in sub. (2r), land in the lower Wisconsin
3 state riverway, as defined in s. 30.40 (15), that is not exempt under s. 30.48 (2) and
4 that is acquired by the department after August 9, 1989, if all of the following
5 conditions are met:

6 **SECTION 767v.** 23.15 (2r) of the statutes is created to read:

7 23.15 **(2r)** (a) In this subsection:

- 8 1. "Immediate family member" means a spouse, brother, sister, parent or child.
- 9 2. "Land" includes any structures on the land.

10 (b) If the department offers land for sale, the department shall offer the first
11 right to purchase the land to all of the owners from whom the department acquired
12 the land. In order to exercise this right, an owner shall make a bona fide offer to
13 purchase the land. If no owner exercises this right, the department shall next offer
14 the right to purchase to the immediate family members of all of the owners. This
15 paragraph applies without regard to when the land was acquired.”.

16 **379.** Page 433, line 9: after that line insert:

17 “**SECTION 768g.** 23.18 of the statutes is repealed.”.

18 **380.** Page 454, line 19: after that line insert:

19 “**SECTION 821b.** 24.66 (3) (b) of the statutes is amended to read:

20 24.66 **(3)** (b) *For long-term loans by unified school districts.* Every application
21 for a loan, the required repayment of which exceeds 10 years, shall be approved and
22 authorized for a unified school district by a majority vote of the members of the school
23 board at a regular or special meeting of the school board. Every vote so required shall
24 be by ayes and noes duly recorded. In addition, the application shall be approved for

1 a unified school district by a majority vote of the electors of the school district at a
2 ~~special election~~ referendum as provided under sub. (4).

3 **SECTION 822b.** 24.66 (4) of the statutes is amended to read:

4 24.66 (4) POPULAR VOTE, WHEN REQUIRED. If any municipality is not empowered
5 by law to incur indebtedness for a particular purpose without first submitting the
6 question to its electors, the application for a state trust fund loan for that purpose
7 must be approved and authorized by a majority vote of the electors at a ~~special~~
8 ~~election~~ referendum called, in accordance with s. 8.065, and noticed and held in the
9 manner provided for other ~~special elections~~ referenda. The notice of the election
10 referendum shall state the amount of the proposed loan and the purpose for which
11 it will be used.”.

12 **381.** Page 457, line 21: delete the material beginning with that line and
13 ending with page 458, line 3.

14 **382.** Page 458, line 16: delete lines 16 to 20.

15 **383.** Page 458, line 20: after that line insert:

16 “**SECTION 840m.** 25.19 (3) of the statutes is amended to read:

17 25.19 (3) The state treasurer shall, ~~at the direction of the depository selection~~
18 ~~board under s. 34.045 (1) (b),~~ allocate bank service costs to the funds incurring those
19 costs.”.

20 **384.** Page 461, line 6: after that line insert:

21 “**SECTION 849m.** 25.40 (1) (a) 9. of the statutes is repealed.”.

22 **385.** Page 466, line 19: after that line insert:

23 “**SECTION 873m.** 25.46 (1m) of the statutes is created to read:

1 25.46 (1m) The moneys transferred under s. 20.855 (4) (f) for nonpoint source
2 water pollution abatement.”.

3 **386.** Page 469, line 22: after that line insert:

4 “**SECTION 899m.** 25.46 (20) of the statutes is repealed.”.

5 **387.** Page 472, line 10: delete “Act ... (this act)” and substitute “Act ... (this
6 act)”.

7 **388.** Page 475, line 18: after that line insert:

8 “**SECTION 918m.** 27.01 (2) (d) of the statutes is amended to read:

9 27.01 (2) (d) Enter into agreements with the federal government, the
10 government of neighboring states, state departments, counties, towns, scientific
11 societies, organizations, individuals or others on any subject considered of concern
12 and benefit to the state parks. Operation of historic buildings, restorations,
13 museums or remains within the boundaries of a state park or parks may be vested
14 by such agreements in the historical society, which may, ~~in accordance with s. 44.02~~
15 ~~(5)~~, charge a resident an admission fee and shall charge a nonresident an admission
16 fee to such buildings, restorations, museums or remains in accordance with s. 44.02
17 (5) in order to defray in whole or in part the costs of operation of such sites.”.

18 **389.** Page 481, line 21: after that line insert:

19 “**SECTION 953m.** 27.012 of the statutes is created to read:

20 **27.012 Mountain Bay State Trail.** The department shall expend up to
21 \$333,000 from the appropriations under s. 20.370 (1) (ea), (eq), (mu) and (my) for the
22 completion of the Mountain Bay State Trail in Shawano County and for the
23 maintenance of trail crossings for the Mountain Bay State Trail in Brown, Oconto,
24 Shawano and Marathon counties. The department shall determine how the moneys

1 to be expended under this section shall be allocated from one or more of these
2 appropriations.”.

3 **390.** Page 481, line 22: delete lines 22 to 25.

4 **391.** Page 482, line 1: delete lines 1 and 2 and substitute:

5 “**SECTION 954mm.** 27.014 (1) of the statutes is renumbered 27.014 (1m), and
6 27.014 (1m) (a), as renumbered, is amended to read:

7 27.014 (1m) (a) If the department finds a vehicle in a vehicle admission area,
8 as defined in s. 27.01 (7) (a) 3., that does not have a valid ~~sticker~~ receipt affixed to
9 it or otherwise displayed as authorized under s. 27.01 (7) (e) and the department
10 cannot locate the operator of the vehicle, the owner of the vehicle shall be presumed
11 liable for a violation of s. 27.01 (7) (b).

12 **SECTION 955m.** 27.014 (1c) of the statutes is created to read:

13 27.014 (1c) DEFINITION. In this section, with respect to a vehicle that is
14 registered, or is required to be registered, by a lessee of the vehicle under ch. 341,
15 “owner” means the lessee of the vehicle.

16 **SECTION 956m.** 27.014 (2) (intro.) of the statutes is amended to read:

17 27.014 (2) DEFENSES. (intro.) The following are defenses to the imposition of
18 liability under sub. (1) (1m):

19 **SECTION 957m.** 27.014 (2) (b) of the statutes is amended to read:

20 27.014 (2) (b) If the owner of the vehicle provides the department with the name
21 and address of the person operating the vehicle or having the vehicle under his or her
22 control at the time of the violation and sufficient information for the department to
23 determine that probable cause does not exist to believe that the owner of the vehicle

1 was operating the vehicle at the time of the violation, then the owner of the vehicle
2 shall not be liable under sub. ~~(1)~~ (1m) or s. 27.01 (7) (b).

3 **SECTION 958m.** 27.014 (2) (c) of the statutes is amended to read:

4 27.014 (2) (c) If the vehicle is owned by a lessor of vehicles and at the time of
5 the violation the vehicle was in the possession of a lessee, and the lessor provides the
6 department with the information required under s. 343.46 (3), then the lessee and
7 not the lessor shall be liable under sub. ~~(1)~~ (1m) or s. 27.01 (7) (b).

8 **SECTION 959m.** 27.014 (2) (d) of the statutes is amended to read:

9 27.014 (2) (d) If the vehicle is owned by a dealer, as defined in s. 340.01 (11)
10 (intro.) but including the persons specified in s. 340.01 (11) (a) to (d), and at the time
11 of the violation the vehicle was being operated by or was under the control of any
12 person on a trial run, and if the dealer provides the department with the name,
13 address and operator's license number of the person operating the vehicle, then that
14 person, and not the dealer, shall be liable under sub. ~~(1)~~ (1m) or s. 27.01 (7) (b).".

15 **392.** Page 482, line 14: after that line insert:

16 "SECTION 960g. 28.02 (4) (bm) of the statutes is created to read:

17 28.02 (4) (bm) Paragraph (b) does not apply to sales under s. 23.15 (2r).".

18 **393.** Page 489, line 16: after that line insert:

19 "SECTION 994e. 29.092 (2) (em) of the statutes, as affected by 1997 Wisconsin
20 Act 1, is amended to read:

21 29.092 (2) (em) *Resident wild turkey.* The fee for a resident wild turkey hunting
22 license is ~~\$10.25~~ \$9.25.

23 **SECTION 994k.** 29.092 (2) (kd) of the statutes, as affected by 1997 Wisconsin Act
24 1, is amended to read:

1 29.092 (2) (kd) *Nonresident wild turkey*. The fee for a nonresident wild turkey
2 hunting license is ~~\$54.25~~ \$53.25.”.

3 **394.** Page 490, line 6: after that line insert:

4 “**SECTION 998m.** 29.092 (14) (c) of the statutes is amended to read:

5 29.092 (14) (c) *Use of surcharge fees*. The wildlife damage surcharge shall be
6 collected as are other approval fees and the surcharge fees shall be deposited in the
7 conservation fund to be used for the wildlife damage abatement program, for the
8 wildlife damage claim program, for wildlife abatement and control grants under s.
9 29.595 and for removal activities by the department under s. 29.59.”.

10 **395.** Page 490, line 6: after that line insert:

11 “**SECTION 998b.** 29.092 (14) (a) of the statutes, as affected by 1997 Wisconsin
12 Act 1, is amended to read:

13 29.092 (14) (a) *Surcharge generally*. In addition to the fees specified under
14 subs. (2) (a) and (c) to ~~(k)~~ (kd), (3v) (a) 1. and (am) and (4) (a) and (am), a person who
15 applies for a resident small game, resident wild turkey, resident deer, resident
16 Class A or Class B bear, resident archer, nonresident annual small game,
17 nonresident 5-day small game, nonresident wild turkey, nonresident deer,
18 nonresident Class A or Class B bear, nonresident fur-bearing animal, nonresident
19 archer license, resident sports license, or nonresident sports license shall pay a
20 wildlife damage surcharge of \$1.

21 **SECTION 998d.** 29.092 (14) (b) of the statutes, as affected by 1997 Wisconsin Act
22 1, is amended to read:

1 29.092 (14) (b) *Addition of surcharge.* The wildlife damage surcharge shall be
2 added to the fee provided in sub. (2) (a) or (c) to ~~(k)~~ (kd), (3v) (a) 1. or (am) or (4) (a),
3 (am), (b) or (bn).”.

4 **396.** Page 514, line 19: after that line insert:

5 “**SECTION 1099b.** 29.24 of the statutes is renumbered 29.24 (1) (intro.) and
6 amended to read:

7 29.24 (1) (intro.) The owner or occupant of any land, and any member of his or
8 her family, may hunt or trap beaver, coyotes, foxes, raccoons, woodchucks, rabbits
9 and squirrels on the land without a license at any time, except ~~that such as follows:~~

10 (a) Such persons may not hunt any of these wild animals during the period of
11 24 hours prior to the opening date for deer hunting in those counties or parts of
12 counties where an open season for hunting deer with firearms is established.

13 (2) The owner or occupant of any land and any member of his or her family may
14 take beaver, rabbits, raccoons and squirrels on the land at any time by means of live
15 trapping with box traps in areas where the discharge of a firearm is ~~unlawful~~ illegal.

16 **SECTION 1099bn.** 29.24 (1) (b) of the statutes is created to read:

17 29.24 (1) (b) Such persons may not hunt coyotes during an open season for
18 hunting deer with firearms in an area that is closed by the department by rule to
19 coyote hunting.”.

20 **397.** Page 514, line 22: after that line insert:

21 “**SECTION 1103n.** 29.29 (4) of the statutes is amended to read:

22 29.29 (4) **USE OF PESTICIDES.** The department of natural resources, after public
23 hearing, may promulgate rules governing the use of any pesticide which it finds is
24 a serious hazard to wild animals other than those it is intended to control, and the

1 making of reports thereon. In making such determinations, the department to the
2 extent relevant shall consider the need for pesticides to protect the well-being of the
3 general public. ~~It shall obtain the recommendation of the pesticide review board and~~
4 ~~such rules, other than rules to protect groundwater promulgated to comply with ch.~~
5 ~~160, are not effective until approved by the pesticide review board. "Pesticide" has~~
6 the meaning designated in s. 94.67."

7 **398.** Page 526, line 2: after that line insert:

8 "SECTION 1139p. 29.595 of the statutes is created to read:

9 **29.595 Wildlife control in urban communities. (1)** The department shall
10 establish a program to award matching grants to urban communities for up to 50%
11 of the costs for projects to plan wildlife abatement measures or to engage in wildlife
12 control efforts or both.

13 **(2)** A grant awarded under this section may not exceed \$5,000.

14 **(3)** The department shall promulgate rules establishing criteria for awarding
15 grants under this section."

16 **399.** Page 526, line 5: delete "to crops on agricultural".

17 **400.** Page 526, line 6: delete that line.

18 **401.** Page 527, line 1: substitute "*Certification*" for "*Rules; certification*".

19 **402.** Page 527, line 8: after that line insert:

20 "(am) *Type of damage eligible.* The type of wildlife damage that is eligible for
21 wildlife damage claim payments shall be limited to damage to commercial seedings
22 or crops growing on agricultural land, damage to crops that have been harvested for
23 sale or further use but that have not been removed from the agricultural land,
24 damage to orchard trees or nursery stock or damage to apiaries or livestock."

1 **403.** Page 527, line 20: after that line insert:

2 “2m. That the claim contains an estimate of the total wildlife damage that
3 occurred, regardless of the amount that is eligible for payment under par. (d).”.

4 **404.** Page 528, line 1: delete “1.”.

5 **405.** Page 528, line 3: delete lines 3 and 4 and substitute “In calculating the
6 amount to be paid for a claim, the department shall determine the amount as
7 follows:”.

8 **406.** Page 528, line 5: before that line insert:

9 “1. If the amount of the claim is \$250 or less, the claimant will receive no
10 payment.

11 2. If the amount of claim is more than \$250 but not more than \$5,250, the
12 claimant will be paid 100% of the amount of the claim that exceeds \$250.

13 3. If the amount of the claim is more than \$5,250, the claimant will be paid the
14 amount calculated under subd. 2., plus 80% of the amount of the claim that exceeds
15 \$5,250, subject to subd. 4.

16 4. The total amount paid to a claimant under this paragraph may not exceed
17 \$15,000 for each claim.”.

18 **407.** Page 528, line 5: after “claims” insert “to the claimants”.

19 **408.** Page 528, line 5: delete “2.” and substitute “(dm) *Deadline for payment.*”.

20 **409.** Page 528, line 13: after that line insert:

21 “(am) *Type of damage eligible.* The type of wildlife damage that is eligible for
22 wildlife damage abatement assistance shall be limited to damage to commercial
23 seedings or crops growing on agricultural land, damage to crops that have been
24 harvested for sale or further use but that have not been removed from the

1 agricultural land, damage to orchard trees or nursery stock or damage to apiaries or
2 livestock.”.

3 **410.** Page 529, line 15: after that line insert:

4 “(am) *Exemption.* The requirements to allow hunting under par. (a) do not
5 apply to a person seeking wildlife damage abatement assistance if the person does
6 not have authority to control entry on the land that is subject to those requirements
7 and if the damage on the land is damage to apiaries.”.

8 **411.** Page 533, line 7: delete “committee” and substitute “committees”.

9 **412.** Page 534, line 20: after that line insert:

10 **“SECTION 1139x.** 30.1255 (1) (intro.) and (a) of the statutes are consolidated,
11 renumbered 30.1255 (1) and amended to read:

12 30.1255 (1) (title) **DEFINITIONS** DEFINITION. In this section: ~~(a)~~—“Aquatic,
13 “aquatic nuisance species” means a nonindigenous species that threatens the
14 diversity or abundance of native species or the ecological stability of infested waters
15 or that threatens a commercial, agricultural, aquacultural or recreational activity
16 dependent on infested waters.

17 **SECTION 1139y.** 30.1255 (1) (b) of the statutes is repealed.

18 **SECTION 1139z.** 30.1255 (2) of the statutes is repealed.

19 **SECTION 1139zb.** 30.1255 (3) (a) (intro.) of the statutes is amended to read:

20 30.1255 (3) (a) (intro.) ~~After consulting with the council, the~~ The department
21 shall submit periodically to the legislature reports describing all of the following:”.

22 **413.** Page 534, line 20: after that line insert:

23 **“SECTION 1139w.** 30.12 (4) (bn) of the statutes is created to read:

1 30.12 (4) (bn) Any interdepartmental liaison procedures established under par.
2 (b) that relate to mitigation of wetland loss may not do any of the following:

3 1. Require that the area of the wetland to be restored or created be larger than
4 the area of the wetland to be lost.

5 2. Regulate or give priority to sites for the wetlands to be created or restored
6 based on proximity of the sites to the wetlands to be lost except that the procedures
7 may give priority to sites that are in the same watersheds or aquifers as are the
8 wetlands to be lost.”.

9 **414.** Page 534, line 20: after that line insert:

10 “**SECTION 1139zm.** 30.135 of the statutes is created to read:

11 **30.135 Regulation of water ski platforms and jumps. (1) WHEN PERMIT**
12 **REQUIRED.** (a) A riparian proprietor may place a water ski platform or water ski jump
13 in a navigable waterway without obtaining a permit if all of the following
14 requirements are met:

15 1. The platform or jump does not interfere with public rights in navigable
16 waters.

17 2. The platform or jump does not interfere with rights of other riparian
18 proprietors.

19 3. The platform or jump is located at a site that ensures adequate water depth
20 and clearance for safe water skiing.

21 (b) If the department determines that any of the requirements under par. (a)
22 are not met, the riparian owner shall submit a permit application to the department.

23 **(2) NOTICE AND HEARING PROCEDURE.** (a) Upon receipt of a complete permit
24 application, the department shall either order a hearing or provide notice stating

1 that it will proceed on the application without a hearing unless a substantive written
2 objection to issuance of the permit is received within 30 days after publication of the
3 notice. The department shall provide a copy of the notice to the applicant for the
4 permit, the clerk of each municipality in which the water ski platform or water ski
5 jump is to be located and to any other person required by law to receive notice. The
6 applicant shall publish the notice as a class 1 notice under ch. 985 in a newspaper
7 designated by the department that is likely to give notice in the area affected. The
8 applicant shall file proof of publication with the department.

9 (b) If the department receives no substantive written objection to the permit
10 and proceeds on the permit application without a hearing, the department shall
11 approve or disapprove the permit within 5 days after the date that the 30-day period
12 under par. (a) expires.

13 (c) If the department orders a hearing on the permit application, the hearing
14 shall be scheduled within 30 days after the date on which the department orders the
15 hearing. The division of hearings and appeals shall mail copies of the written notice
16 of the hearing at least 10 days before the hearing to each person provided the notice
17 under par. (a). The division of hearings and appeals shall mail the copies at least 10
18 days before the hearing except that it shall mail the copy to the applicant for the
19 permit at least 20 days before the hearing. The applicant shall publish the notice as
20 a class 1 notice under ch. 985 in a newspaper designated by the department that is
21 likely to give notice in the area affected. The applicant shall file proof of the
22 publication with the hearing examiner at or prior to the hearing.

23 **(3) RULES.** (a) The department shall promulgate a rule listing specific reasons
24 that will support a substantive written objection to the placement of a water ski
25 platform or water ski jump.

1 (b) The department shall promulgate rules specifying the information that
2 shall be disclosed in an notice under sub. (2) (a). The disclosed information shall
3 include all of the following:

4 1. A statement explaining what constitutes a substantive written objection and
5 the list of specific reasons that support a substantive written objection that is
6 promulgated under par. (a).

7 2. The fact that the department may decide to proceed on the application
8 without a hearing.

9 3. The fact that a decision to proceed on an application without a hearing under
10 subd. 2. is subject to review under ch. 227.

11 (4) EXEMPTION. Section 30.02 does not apply to permit applications submitted
12 under this section.”.

13 **415.** Page 535, line 9: delete “(a)”.

14 **416.** Page 535, line 12: substitute “(a)” for “1.”.

15 **417.** Page 535, line 14: substitute “s. 299.05” for “par. (b)”.

16 **418.** Page 535, line 15: substitute “(b)” for “2.”.

17 **419.** Page 535, line 16: delete lines 16 to 18.

18 **420.** Page 536, line 4: after that line insert:

19 “SECTION 1144e. 30.66 (3) (a) of the statutes is amended to read:

20 30.66 (3) (a) Except as provided under par. (am) and s. 30.69 (3), no person may
21 operate a motorboat within 100 feet of any dock, raft, pier or buoyed restricted area
22 on any lake at a speed in excess of slow-no-wake speed.

23 **SECTION 1144g.** 30.66 (3) (am) of the statutes is created to read:

1 30.66 (3) (am) The distance limitation under par. (a) does not apply to a person
2 who operates a motorboat as part of an authorized water ski tournament,
3 competition or exhibition or as part of a trial for such an event.”.

4 **421.** Page 536, line 5: delete lines 5 to 8.

5 **422.** Page 536, line 8: after that line insert:

6 “**SECTION 1144p.** 30.92 (1) (b) of the statutes is amended to read:

7 30.92 (1) (b) “Governmental unit” means the department, a municipality, a lake
8 sanitary district, a public inland lake protection and rehabilitation district organized
9 under ch. 33, ~~the Milwaukee River revitalization council~~, the Lower Wisconsin State
10 Riverway board, the Fox River management commission or any other local
11 governmental unit, as defined in s. 66.299 (1) (a), that is established for the purpose
12 of lake management.”.

13 **423.** Page 537, line 18: after that line insert:

14 “**SECTION 1146d.** 30.92 (4t) of the statutes is created to read:

15 30.92 (4t) LINNIE LAC DAM. Of the amounts appropriated under s. 20.370 (5)
16 (cq) and before applying the percentages under sub. (4) (b) 6., the department shall
17 provide to the city of New Berlin the amount that is necessary for a dam failure
18 analysis study and repair of the Linnie Lac Dam, but the amount shall not exceed
19 \$250,000. Notwithstanding sub. (4) (b) 2., the city of New Berlin need not contribute
20 any moneys to match the amount expended from the appropriation under s. 20.370
21 (5) (cq). Notwithstanding sub. (1) (c), the dam project specified under this subsection
22 is a recreational boating facility for the purpose of expending moneys under this
23 section. This project need not be placed on the priority list under sub. (3) (a).”.

24 **424.** Page 538, line 7: delete lines 7 to 20.

1 **425.** Page 539, line 14: after that line insert:

2 “**SECTION 1148e.** 32.72 (1) of the statutes is amended to read:

3 32.72 (1) Sections 32.50 to 32.71 do not take effect in any city until the following
4 question is submitted to the electors of the city at a ~~special election~~ referendum called
5 in accordance with s. 8.065 and adopted by a majority vote of the electors voting:
6 “Shall subchapter II of chapter 32, Wisconsin Statutes, be effective in the city of
7, thus allowing the city to acquire and condemn property for street
8 widening and similar purposes, financed through assessments of benefits and
9 damages?”.”.

10 **426.** Page 539, line 18: delete “Illinois” and substitute “Southeastern
11 Wisconsin”.

12 **427.** Page 539, line 21: after that line insert:

13 “**SECTION 1148q.** 33.01 (1r) of the statutes is repealed.

14 **SECTION 1148r.** Subchapter II of chapter 33 [precedes 33.05] of the statutes is
15 repealed.”.

16 **428.** Page 540, line 2: delete “ILLINOIS” and substitute “SOUTHEASTERN
17 WISCONSIN”.

18 **429.** Page 540, line 6: delete “Illinois” and substitute “Southeastern
19 Wisconsin”.

20 **430.** Page 540, line 21: after that line insert:

21 “(8) “Surface waters” include surface water in drainage ditches.”.

22 **431.** Page 540, line 22: delete “Illinois” and substitute “Southeastern
23 Wisconsin”.

- 1 **432.** Page 540, line 23: delete “commission. The” and substitute “commission
2 for the Illinois Fox River basin. For the purposes of this subchapter, the Illinois Fox
3 River basin extends from the northern boundary of the city of Waukesha downstream
4 to the point immediately below the Waterford Dam. The”.
- 5 **433.** Page 540, line 24: delete “commission may”.
- 6 **434.** Page 540, line 25: delete that line and substitute “commission, a county
7 or a river municipality may solicit gifts, grants and other aid for the commission to
8 enable the commission to perform the functions in this subchapter.”.
- 9 **435.** Page 541, line 2: delete “for an engineering study, and the” and
10 substitute “to enable the commission to carry out its projects, plans and
11 responsibilities under this subchapter.”.
- 12 **436.** Page 541, line 3: delete lines 3 to 7.
- 13 **437.** Page 542, line 3: on lines 3 and 5, after “One” insert “nonvoting”.
- 14 **438.** Page 545, line 18: delete “to a county board”.
- 15 **439.** Page 545, line 19: delete “or to the” and substitute “to the”.
- 16 **440.** Page 545, line 19: on lines 19 and 24, delete “that is a city or a village”.
- 17 **441.** Page 545, line 23: delete “to a county”.
- 18 **442.** Page 545, line 24: delete “board or to the” and substitute “to the”.
- 19 **443.** Page 545, line 25: delete “and the”.
- 20 **444.** Page 546, line 1: delete “county”.
- 21 **445.** Page 546, line 3: delete lines 3 to 11.
- 22 **446.** Page 549, line 1: delete lines 1 to 10.

1 **447.** Page 549, line 10: after that line insert:

2 “**SECTION 1150c.** 34.045 (title) of the statutes is repealed and recreated to read:

3 **34.045** (title) **Duties of the state treasurer.**

4 **SECTION 1150g.** 34.045 (1) (intro.) of the statutes is amended to read:

5 34.045 (1) (intro.) The ~~depository selection board~~ state treasurer shall:

6 **SECTION 1150L.** 34.045 (1) (b) of the statutes is amended to read:

7 34.045 (1) (b) Establish procedures by which state agencies and departments
8 pay for services through compensating balances or fees, or a combination of both
9 methods. In the case of the state treasurer’s accounts, ~~direct the state treasurer to~~
10 maintain compensating balances, or direct the investment board to pay bank service
11 costs as allocated by ~~the state treasurer~~ under s. 25.19 (3) directly from the income
12 account of the state investment fund, or by a combination of such methods.

13 **SECTION 1150p.** 34.045 (2) of the statutes is amended to read:

14 34.045 (2) In the exercise of its his or her authority under this section, the
15 ~~depository selection board~~ state treasurer shall require any state department or
16 agency to submit to it him or her for prior review, elimination, consolidation,
17 renegotiation or confirmation any existing service contract or service proposed by the
18 department or agency.

19 **SECTION 1150t.** 34.045 (3) of the statutes is amended to read:

20 34.045 (3) The ~~board~~ state treasurer may, for cause, disapprove any contract
21 submitted to it him or her under sub. (2) if it he or she finds the proposed contract
22 to be in violation of the guidelines established under sub. (1), or to have been
23 improperly negotiated or to be otherwise illegal. If the ~~board~~ state treasurer fails to
24 disapprove a proposed contract within 60 days after it is submitted by the

1 department or agency, the contract shall be deemed approved. The board state
2 treasurer shall provide written justification for disapproving a contract proposed by
3 a state agency or department. A disapproval is subject to judicial review under ch.
4 227.

5 **SECTION 1150x.** 34.045 (4) of the statutes is amended to read:

6 34.045 (4) State agencies and departments shall provide the board state
7 treasurer with a written justification for any proposed contract award for service.”.

8 **448.** Page 553, line 25: delete that line.

9 **449.** Page 554, line 1: delete lines 1 to 13.

10 **450.** Page 555, line 17: after that line insert:

11 “**SECTION 2164g.** 36.25 (20) of the statutes is repealed.”.

12 **451.** Page 556, line 4: after that line insert:

13 “**SECTION 1167b.** 36.25 (30) (intro.) and (a) of the statutes are consolidated,
14 renumbered 36.25 (30) and amended to read:

15 36.25 (30) HAZARDOUS POLLUTION PREVENTION PROGRAM. The board shall
16 establish in the extension a hazardous pollution prevention program to promote
17 hazardous pollution prevention, as defined in s. 299.13 (1) (c). In cooperation with
18 the department of natural resources, and the department of commerce ~~and the~~
19 ~~hazardous pollution prevention council~~, the program shall do all of the following: (a)
20 Conduct conduct an education and technical assistance program to promote
21 hazardous pollution prevention in this state.

22 **SECTION 1167c.** 36.25 (30) (c) of the statutes is repealed.”.

23 **452.** Page 556, line 13: after that line insert:

24 “**SECTION 1167p.** 36.25 (35) of the statutes is repealed.”.

1 **453.** Page 557, line 2: after that line insert:

2 “**SECTION 1168k.** 36.25 (42) of the statutes is created to read:

3 36.25 (42) DISTINGUISHED CHAIR OF MILITARY HISTORY. The board shall establish
4 a distinguished chair of military history at the University of Wisconsin-Madison.”.

5 **454.** Page 557, line 3: delete lines 3 to 7.

6 **455.** Page 561, line 14: after that line insert:

7 “**SECTION 1178m.** 38.04 (9) of the statutes is amended to read:

8 38.04 (9) TRAINING PROGRAMS FOR FIRE FIGHTERS. In order to promote safety to
9 life and property, the board may establish and supervise training programs in fire
10 prevention and protection. The training programs shall be available to members of
11 volunteer and paid fire departments maintained by public and private agencies,
12 including industrial plants. No training program required for participation in
13 structural fire fighting that is offered to members of volunteer and paid fire
14 departments maintained by public agencies may require more than 60 hours of
15 training. ~~The council on fire service training programs shall advise the board on the~~
16 ~~establishment and maintenance of the programs.”.~~

17 **456.** Page 562, line 16: after that line insert:

18 “**SECTION 1180q.** 38.04 (25) of the statutes is repealed.”.

19 **457.** Page 575, line 20: after “(2)” insert “or (3)”.

20 **458.** Page 576, line 2: after that line insert:

21 “**SECTION 1224e.** 39.285 (3) of the statutes is created to read:

22 39.285 (3) By April 10, 1998, and annually thereafter, each tribally controlled
23 college in this state is requested to develop and submit to the board for its review

1 under sub. (1) a proposed formula for the awarding of grants under s. 39.30 for the
2 upcoming academic year to students enrolled at that tribally controlled college.”.

3 **459.** Page 576, line 5: after that line insert:

4 “**SECTION 1225m.** 39.30 (2) (intro.) of the statutes is amended to read:

5 39.30 (2) ELIGIBILITY. (intro.) A resident student enrolled at least half-time
6 and registered as a freshman, sophomore, junior or senior in an accredited,
7 nonprofit, post high school, educational institution in this state or in a tribally
8 controlled college in this state shall be eligible for grants under this section for each
9 semester of attendance, but:”.

10 **460.** Page 576, line 13: after “(2)” insert “or (3)”.

11 **461.** Page 576, line 14: after that line insert:

12 “**SECTION 1227g.** 39.30 (3) (intro.) of the statutes is amended to read:

13 39.30 (3) BASIS OF GRANTS. (intro.) The grant to be paid to a resident student
14 enrolled at least half-time and registered as a freshman, sophomore, junior or senior
15 after August 1, 1979, shall be determined ~~under pars. (a) to (f).~~ as follows:

16 **SECTION 1227m.** 39.30 (3) (d) of the statutes is amended to read:

17 39.30 (3) (d) Subtract the amount determined in par. (c) from the amount
18 determined in par. (a) to arrive at the amount of the grant. ~~No grant may exceed~~
19 ~~\$1,086 per semester or a prorated amount in the case of a quarter or trimester~~
20 ~~institution, or \$2,172 per academic year. Grants under this section may not be less~~
21 ~~than \$250 during any one academic year.”.~~

22 **462.** Page 576, line 19: delete lines 19 to 23 and substitute:

23 “**SECTION 1229c.** 39.30 (3) (f) of the statutes is renumbered 39.30 (3m) (b) and
24 amended to read:

1 39.30 (3m) (b) The department board may not make initial awards of grants
2 under this section for an academic year in an amount that exceeds 122% of the
3 amount appropriated under s. 20.235 (1) (b) for the fiscal year in which the grant may
4 be paid.

5 **SECTION 1229g.** 39.30 (3) (g) of the statutes is created to read:

6 39.30 (3) (g) This subsection does not apply to students enrolled in tribally
7 controlled colleges.

8 **SECTION 1229j.** 39.30 (3m) of the statutes is created to read:

9 39.30 (3m) GRANT AWARDS. (a) No grant awarded under this section may exceed
10 \$1,086 per semester or a prorated amount in the case of a quarter or trimester
11 institution, or \$2,172 per academic year. Grants under this section may not be less
12 than \$250 during any one academic year.”.

13 **463.** Page 584, line 4: delete lines 4 to 20 and substitute:

14 “**SECTION 1254m.** 39.38 (2) of the statutes is amended to read:

15 39.38 (2) Grants under this section shall be based on financial need, as
16 determined by the department board. The maximum grant shall not exceed \$2,200
17 per year, of which not more than \$1,100 may be from the appropriation under s.
18 20.235 (1) (fb). State aid from this appropriation may be matched by a contribution
19 from a federally recognized American Indian tribe or band that is deposited in the
20 general fund and credited to the appropriation account under s. 20.235 (1) (gm).
21 Grants shall be awarded to students for full-time or part-time attendance at any
22 accredited institution of higher education in this state. The department board may
23 not make a grant under this section to a student if the department board receives a
24 certification under s. 49.855 (7) that the student is delinquent in child support or

1 maintenance payments or owes past support, medical expenses or birth expenses.
2 Grants shall be renewable for up to 5 years if a recipient remains in good academic
3 standing at the institution that he or she is attending. ~~The American Indian~~
4 ~~language and culture education board shall advise the department on the allocation~~
5 ~~of grants to students enrolled less than half-time.”.~~

6 **464.** Page 599, line 9: after that line insert:

7 “**SECTION 1310m.** 39.47 (2) of the statutes is amended to read:

8 39.47 (2) The agreement under this section shall provide for the waiver of
9 nonresident tuition for a resident of either state who is enrolled in a public vocational
10 school located in the other state. The agreement shall also establish a reciprocal fee
11 structure for residents of either state who are enrolled in public institutions of higher
12 education, other than vocational schools, located in the other state. The reciprocal
13 fee shall be the average academic fee that would be charged the student at a
14 comparable public institution of higher education located in his or her state of
15 residence, as specified in the agreement, except that, for a Wisconsin resident first
16 enrolled in the University of Minnesota Law School in the 1996-97 academic year
17 or thereafter, the reciprocal fee may be the fee that is charged a Minnesota resident
18 enrolled in the University of Minnesota Law School. The agreement shall take effect
19 on July 1, 1991. The agreement shall provide for a biennial review of the costs,
20 charges and payments associated with the agreement. The agreement is subject to
21 the approval of the joint committee on finance under s. 39.42.”.

22 **465.** Page 601, line 5: after that line insert:

23 “**SECTION 1316m.** 40.03 (2) (u) of the statutes is created to read:

1 40.03 (2) (u) Shall ensure that the department include on all publications that
2 are printed beginning on the effective date of this paragraph [revisor inserts date],
3 and that are intended for distribution to participants the toll-free telephone number
4 of the department, if the department has such a telephone number.”.

5 **466.** Page 601, line 22: delete the material beginning with that line and
6 ending with page 602, line 8, and substitute:

7 “**SECTION 1324c.** 40.51 (8) of the statutes, as affected by 1995 Wisconsin Act
8 289, is amended to read:

9 40.51 (8) Every health care coverage plan offered by the state under sub. (6)
10 shall comply with ss. 631.89, 631.90, 631.93 (2), 632.72 (2), ~~632.745 (1) to (3) and (5)~~
11 632.746 (1) to (8) and (10), 632.747, 632.748, 632.87 (3) to (5), 632.895 (5m) and (8)
12 to (10) and 632.896.

13 **SECTION 1324m.** 40.51 (8) of the statutes, as affected by 1997 Wisconsin Act
14 (this act), is amended to read:

15 40.51 (8) Every health care coverage plan offered by the state under sub. (6)
16 shall comply with ss. 631.89, 631.90, 631.93 (2), 632.72 (2), 632.746 (1) to (8) and (10),
17 632.747, 632.748, 632.87 (3) to (5), 632.895 (5m) and (8) to ~~(10)~~ (13) and 632.896.

18 **SECTION 1325c.** 40.51 (8m) of the statutes, as created by 1995 Wisconsin Act
19 289, is amended to read:

20 40.51 (8m) Every health care coverage plan offered by the group insurance
21 board under sub. (7) shall comply with ss. ~~632.745 (1) to (3) and (5) and 632.746 (1)~~
22 to (8) and (10), 632.747 and 632.748.

23 **SECTION 1325m.** 40.51 (8m) of the statutes, as affected by 1997 Wisconsin Act
24 (this act), is amended to read:

1 40.51 **(8m)** Every health care coverage plan offered by the group insurance
2 board under sub. (7) shall comply with ss. 632.746 (1) to (8) and (10), 632.747 and,
3 632.748 and 632.895 (11) to (13).”.

4 **467.** Page 607, line 17: delete lines 17 to 24.

5 **468.** Page 608, line 4: after that line insert:

6 “**SECTION 1345f.** 44.02 (27) of the statutes is amended to read:

7 44.02 **(27)** Administer the historical markers program under s. 44.15 and
8 ~~provide staff to assist the historical markers council in performing its duties under~~
9 ~~s. 44.15.~~”.

10 **469.** Page 608, line 4: after that line insert:

11 “**SECTION 1345eg.** 44.02 (5) of the statutes is amended to read:

12 44.02 **(5)** Keep its main library and museum rooms open at all reasonable hours
13 on business days for the reception of the residents of this state who may wish to visit
14 the library or museum. Except as provided under subs. (5g) and (5m), the historical
15 society may collect a fee from residents and shall collect a fee from nonresidents for
16 admission to historic sites or buildings acquired, leased or operated by the historical
17 society, including areas within state parks or on other state-owned lands which
18 incorporate historic buildings, restorations, museums or remains and which are
19 operated by the historical society by agreement with the department of natural
20 resources or other departments, or for lectures, pageants or similar special events,
21 or for admission to defray the costs of special exhibits in its several buildings of
22 documents, objects or other materials not part of the historical society’s regular
23 collections but brought in on loan from other sources for such special exhibitions or
24 for use of the main library. The historical society shall take action on a continuing

1 basis to raise funds from private sources for the operation of its main library. The
2 historical society may procure and sell or otherwise dispose of postcards, souvenirs
3 and other appropriate merchandise to help defray the costs of operating its several
4 plants and projects.

5 **SECTION 1345ej.** 44.02 (5g) of the statutes is renumbered 44.02 (5g) (a) and
6 amended to read:

7 44.02 (5g) (a) Not charge a fee for use of the main library by any member of the
8 historical society, any member of the faculty or academic staff of the University of
9 Wisconsin System, any student enrolled in the University of Wisconsin System or
10 any other person who is a resident exempted by rule of the historical society. ~~The~~
11 Except as provided in par. (b), the historical society may not charge a fee for use of
12 the main library by any other person unless the historical society submits a fee
13 schedule under this paragraph to the joint committee on finance that includes the
14 specific fee to be charged to different categories of persons and an identification of
15 any persons exempted by rule of the historical society. The fee schedule of the
16 historical society under this paragraph shall be implemented if the committee
17 approves the report, or does not schedule a meeting for the purpose of reviewing the
18 report within 14 working days after receipt of the report.

19 **SECTION 1345em.** 44.02 (5g) (b) of the statutes is created to read:

20 44.02 (5g) (b) Charge a fee for use of the main library by, or for research services
21 provided by the historical society to, any nonresident who is not specifically
22 exempted under par. (a). The historical society shall submit a fee schedule to the joint
23 committee on finance that specifies the fee to be charged to nonresidents for use of
24 the main library and for research services provided by the historical society. The fee
25 schedule of the historical society under this paragraph shall be implemented if the

1 committee approves the report, or does not schedule a meeting for the purpose of
2 reviewing the report within 14 working days after receipt of the report.”.

3 **470.** Page 609, line 9: after that line insert:

4 **“SECTION 1346h.** 44.15 (1) of the statutes is repealed.

5 **SECTION 1346hb.** 44.15 (2) of the statutes is amended to read:

6 44.15 (2) CREATION. It is declared to be in the public interest to stimulate
7 interest in and knowledge of the state by marking sites of special historical,
8 architectural, cultural, archaeological, ethnic, geological or legendary significance,
9 and maintaining and developing such sites approximately so as to preserve their
10 individual characteristics. The historical markers program is created to call
11 attention to the state’s historical, cultural and natural heritage through a system of
12 markers and plaques and to supplement, wherever possible, information contained
13 in the state register of historic places. It is the purpose of the program to significantly
14 increase the number of historical, cultural and natural heritage sites that are
15 marked in this state and to accomplish such marking, maintenance and development
16 through the historical markers council. In addition to powers specifically
17 enumerated, the council shall have all powers necessary to perform its duties.

18 **SECTION 1346hc.** 44.15 (3) (a) (intro.) of the statutes is amended to read:

19 44.15 (3) (a) (intro.) ~~In consultation with the council, the~~ The historical society
20 shall do all of the following:

21 **SECTION 1346he.** 44.15 (4) of the statutes is amended to read:

22 44.15 (4) STATE-FUNDED MARKERS. ~~In consultation with the council, the~~ The
23 historical society may identify and authorize construction of individual markers or
24 plaques, or any series of markers or plaques, to be funded from the appropriation

1 under s. 20.245 (3) (d). No matching funds are required for a marker or plaque that
2 is constructed under this subsection. Funds under this subsection may be used for
3 the purchase of plaques to be installed on historical properties and for the
4 construction of markers or plaques in other states or countries.

5 **SECTION 1346hf.** 44.15 (5) of the statutes is amended to read:

6 44.15 (5) MAINTENANCE. Any approval issued for a marker or plaque by the
7 historical society under this section shall include a requirement that the applicant
8 maintain the marker or plaque, and shall also include authorization permitting the
9 historical society ~~or council~~, if necessary, to enter the property and maintain the
10 marker or plaque. The historical society may issue orders to maintain markers and
11 plaques, and may maintain markers or plaques.

12 **SECTION 1346hg.** 44.15 (7) of the statutes is amended to read:

13 44.15 (7) DONATIONS; ASSISTANCE. (a) ~~The council~~ historical society may accept
14 gifts, appropriations and bequests made to it for the purposes of this section and use
15 them as far as practicable in accordance with the wishes of the donor. ~~All money so~~
16 ~~received shall promptly be paid into the state treasury and be paid out on order of~~
17 ~~the council. The expenditures thereof shall be audited and paid as other~~
18 ~~disbursements by the state treasury are audited and paid.~~

19 (b) ~~The council~~ historical society may accept the aid, support and cooperation
20 of county, city, village or town agencies, or private agencies or persons in executing
21 its projects.

22 **SECTION 1346hj.** 44.15 (8) of the statutes is amended to read:

23 44.15 (8) COOPERATION OF STATE AGENCIES. All state departments, independent
24 agencies and institutions are directed to cooperate with the ~~council~~ historical society

1 in the performance of its duties under this section. Applicable laws shall be liberally
2 construed in favor of such cooperation.

3 **SECTION 1346hk.** 44.15 (9) (intro.) of the statutes is amended to read:

4 44.15 (9) RULES. (intro.) ~~In consultation with the council, the~~ The historical
5 society shall promulgate rules to implement and administer the program. The rules
6 shall include all of the following:".

7 **471.** Page 609, line 9: after that line insert:

8 "SECTION 1346k. 44.47 (1) (bm) of the statutes is repealed."

9 **472.** Page 609, line 9: after that line insert:

10 "SECTION 1346g. 44.095 (2) (d) of the statutes is amended to read:

11 44.095 (2) (d) Develop and periodically update a comprehensive plan for the
12 protection, preservation and accessibility of electronic records of permanent
13 historical value. The historical society shall submit the plan by June 30, 1995, and
14 the plan updates annually thereafter until June 30, 1998, to the governor, the
15 legislature under s. 13.172 (2), ~~and the public records board,~~ and the division of
16 information technology services ~~and the council on information technology~~ in the
17 department of administration."

18 **473.** Page 609, line 9: after that line insert:

19 "SECTION 1346gm. 44.12 (3) of the statutes is amended to read:

20 44.12 (3) In operating this museum, the society may charge a resident an
21 admission fee and shall charge a nonresident an admission fee to defray in part the
22 costs of operation in accordance with s. 44.02 (5), and may loan objects or materials
23 from this central collection for special occasions and for such special exhibits as it

1 may desire to develop at its main building, at other historic sites within the state,
2 with other historical societies or with other state agencies.

3 **SECTION 1346gp.** 44.13 (3) of the statutes is amended to read:

4 44.13 (3) In operating this museum, the society may charge a resident an
5 admission fee and shall charge a nonresident an admission fee to defray in part the
6 costs of operation in accordance with s. 44.02 (5).”.

7 **474.** Page 609, line 13: after that line insert:

8 “**SECTION 1346r.** 44.47 (5m) (f) of the statutes is repealed.”.

9 **475.** Page 609, line 25: delete that line.

10 **476.** Page 610, line 1: delete lines 1 to 8 and substitute:

11 “**SECTION 1346sf.** 44.51 (2) of the statutes is repealed.

12 **SECTION 1346sj.** 44.51 (3) of the statutes is repealed.”.

13 **477.** Page 610, line 19: delete lines 19 to 25.

14 **478.** Page 611, line 1: delete lines 1 to 24.

15 **479.** Page 612, line 1: delete lines 1 to 25.

16 **480.** Page 613, line 1: delete lines 1 to 23.

17 **481.** Page 614, line 1: delete lines 1 to 3 and substitute:

18 “**SECTION 1346wg.** 44.57 of the statutes is repealed.”.

19 **482.** Page 615, line 16: after “districts,” insert “private schools,”.

20 **483.** Page 643, line 13: after that line insert:

21 “**SECTION 1410g.** 46.03 (43) of the statutes is created to read:

22 46.03 (43) COMPULSIVE GAMBLING AWARENESS CAMPAIGNS. Provide grants to one
23 or more individuals or organizations in the private sector to conduct compulsive

1 gambling awareness campaigns. Annually, the department shall develop a plan for
2 the awarding of the grants and shall submit the proposed plan in writing to the joint
3 committee on finance. If the cochairpersons of the committee do not notify the
4 department that the committee has scheduled a meeting for the purpose of reviewing
5 the proposed plan within 14 working days after the date of the department's
6 submission, the department may award grants under this subsection. If, within 14
7 working days after the date of the department's submission, the cochairpersons of
8 the committee notify the department that the committee has scheduled a meeting for
9 the purpose of reviewing the proposed plan, the department may award grants under
10 this subsection only upon approval of the committee.”.

11 **484.** Page 656, line 12: delete lines 12 to 22 and substitute:

12 “**SECTION 1446L.** 46.245 (intro.) and (1) of the statutes are consolidated,
13 renumbered 46.245 and amended to read:

14 **46.245 Information for certain pregnant women.** ~~A~~ Upon request, a
15 county department under s. 46.215, 46.22 or 46.23 shall ~~do all of the following: (1)~~
16 ~~Upon request, distribute the materials described under s. 253.10 (3) (d), as prepared~~
17 ~~and distributed by the department. The county department may charge a fee not to~~
18 ~~exceed the actual cost of preparation and distribution of the materials. A physician~~
19 ~~who intends to perform or induce an abortion or another qualified physician, as~~
20 ~~defined in s. 253.10 (2) (g), who reasonably believes that he or she might have a~~
21 ~~patient for whom the information under s. 253.10 (3) (d) is required to be given, shall~~
22 ~~request a reasonably adequate number of the materials from the county department~~
23 ~~under this subsection~~ section or from the department under s. 253.10 (3) (d). An
24 individual may request a reasonably adequate number of the materials.

1 **SECTION 1446m.** 46.245 (2) of the statutes is repealed.”.

2 **485.** Page 663, line 8: delete “paragraph” and substitute “subdivision”.

3 **486.** Page 666, line 16: on lines 16, 21 and 23, delete “par. (b)” and substitute
4 “sub. (7) (b)”.

5 **487.** Page 666, line 18: delete “paragraph” and substitute “subd. 5p. a.”.

6 **488.** Page 666, line 22: delete “subd. 1. a.” and substitute “subd. 5p. a.”.

7 **489.** Page 674, line 6: delete “paragraph” and substitute “subd. 1p. a.”.

8 **490.** Page 674, line 10: delete “subd. 1. a.” and substitute “subd. 1p. a.”.

9 **491.** Page 675, line 15: delete lines 15 to 17 and substitute:

10 “**SECTION 1478c.** 46.35 of the statutes is repealed.”.

11 **492.** Page 681, line 4: delete lines 4 to 7.

12 **493.** Page 686, line 15: after that line insert:

13 “**SECTION 1519m.** 46.76 (intro.) of the statutes is amended to read:

14 **46.76** (title) ~~Board on~~ Department duties relating to hunger
15 prevention. (intro.) The ~~board on hunger department~~ shall do all of the following:”.

16 **494.** Page 686, line 20: after that line insert:

17 “**SECTION 3520m.** 46.76 (2) of the statutes, as affected by 1997 Wisconsin Act
18 (this act), is repealed and recreated to read:

19 46.76 (2) Advise the department of public instruction and any other relevant
20 state agency on the use of state and federal resources and on the provision and
21 administration of programs for hunger prevention.”.

22 **495.** Page 686, line 24: after that line insert:

1 **“SECTION 1521m.** 46.76 (5) of the statutes, as affected by 1997 Wisconsin Act
2 (this act), is repealed and recreated to read:

3 46.76 (5) Submit, by December 31 annually, the plan developed under sub. (4)
4 to the governor, superintendent of public instruction and the appropriate standing
5 committees under s. 13.172 (3).”.

6 **496.** Page 687, line 4: after that line insert:

7 **“SECTION 1522d.** 46.765 (2) (intro.) of the statutes, as affected by 1997
8 Wisconsin Act (this act), is repealed and recreated to read:

9 46.765 (2) PURPOSE; AMOUNT. (intro.) From the appropriation under s. 20.435
10 (3) (dr), the department shall provide start-up grants to one or more agencies, but
11 not to exceed \$20,000 per grant per year, for any of the following purposes:

12 **SECTION 1522j.** 46.765 (3) (intro.) of the statutes is amended to read:

13 46.765 (3) GRANT AWARDS; CRITERIA. (intro.) The department shall provide
14 start-up grants under this section pursuant to awards made by the board on hunger.
15 In evaluating applications for grants, the board department shall give priority to
16 proposals for any of the purposes enumerated in sub. (2) that do all of the following:”.

17 **497.** Page 688, line 22: after that line insert:

18 **“SECTION 1528ym.** 46.93 (4) (b) of the statutes is repealed and recreated to
19 read:

20 46.93 (4) (b) Engaging in any activity specified in s. 20.9275 (2) (a) 1. to 3.”.

21 **498.** Page 688, line 22: after that line insert:

22 **“SECTION 1528w.** 46.93 (3m) (intro.) of the statutes is renumbered 46.93 (3m)
23 (ar) and amended to read:

1 46.93 **(3m)** (ar) ~~The board in~~ In awarding grants under sub. (2), the board may
2 not disapprove an application from an applying organization solely because the
3 applying organization has a religious affiliation.

4 **(b)** The following activities are prohibited under any grant award under sub.
5 (2):

6 **SECTION 1528x.** 46.93 (3m) (a), (c) and (d) of the statutes are renumbered 46.93
7 (3m) (b) 1., 2. and 3.

8 **SECTION 1528y.** 46.93 (3m) (ag) of the statutes is created to read:

9 46.93 **(3m)** (ag) The board may not award a grant under sub. (2) to any
10 organization that does not require written parental consent for the provision of
11 family planning services, as defined in s. 253.07 (1) (b), to adolescents.”.

12 **499.** Page 688, line 22: after that line insert:

13 “**SECTION 1529c.** 46.935 of the statutes is repealed.”.

14 **500.** Page 690, line 19: after that line insert:

15 “**SECTION 1542p.** 46.995 (3) of the statutes is amended to read:

16 46.995 **(3)** ADOLESCENT PREGNANCY PREVENTION SERVICES. From the
17 appropriation under s. 20.435 (3) (eg), the department may allocate \$340,000 in each
18 fiscal year to provide a grant annually to a public or private entity or to the elected
19 governing body of a federally recognized American Indian tribe or band to provide
20 to high-risk adolescents pregnancy and parenthood prevention services which shall
21 be structured so as to increase development of decision-making and communications
22 skills, promote graduation from high school and expand career and other options and
23 which may address needs of adolescents with respect to pregnancy prevention.
24 Except with respect to award of a grant to a tribe or band, the department shall rank

1 individual counties and give priority by this ranking for the award of grants under
2 this subsection, based on the factors specified under sub. (2) (a) to (d). The
3 department may not award a grant under this subsection to any entity or governing
4 body that does not require written parental consent for the provision of family
5 planning services, as defined in s. 253.07 (1) (b), to minors.”.

6 **501.** Page 708, line 10: delete lines 10 to 13 and substitute:

7 “**SECTION 1595j.** 48.551 (2) (a) of the statutes is amended to read:

8 48.551 (2) (a) Training persons who provide counseling to adolescents
9 including school counselors, county employes providing child welfare services under
10 s. 48.56 and family planning clinic employes of a clinic providing family planning
11 services, as defined in s. 253.07 (1) (b).

12 **SECTION 1595k.** 48.551 (2) (a) of the statutes, as affected by 1997 Wisconsin Act
13 (this act), is repealed and recreated to read:

14 48.551 (2) (a) Training persons who provide counseling to adolescents
15 including school counselors, county or department employes providing child welfare
16 services under s. 48.56 or 48.561 and employes of a clinic providing family planning
17 services, as defined in s. 253.07 (1) (b).”.

18 **502.** Page 741, line 2: after that line insert:

19 “**SECTION 1701m.** 48.981 (2m) (b) 2. of the statutes is amended to read:

20 48.981 (2m) (b) 2. “Health care service” means family planning services, as
21 defined in s. 253.07 (1) (b), pregnancy testing, obstetrical health care or screening,
22 diagnosis and treatment for a sexually transmitted disease.”.

23 **503.** Page 762, line 4: delete lines 4 to 8 and substitute:

1 “(b) The department may require an individual whose needs are not considered
2 under par. (a) to submit to a test for use of a controlled substance not more than every
3 3 months. If, at the end of 12 months, the result of each test is negative, the
4 department shall consider the individual’s needs in determining the eligibility of the
5 individual’s household.”.

6 **504.** Page 762, line 13: after that line insert:

7 “**SECTION 1755m.** 49.124 (7) of the statutes is created to read:

8 49.124 (7) SIMPLIFIED FOOD STAMP PROGRAM. The department shall develop a
9 simplified food stamp program that meets all of the requirements under P.L.
10 104-193, section 854, and shall submit the plan to the secretary of the federal
11 department of agriculture for approval. If the secretary of the federal department
12 of agriculture approves the plan, the department shall submit the plan to the
13 secretary of administration for approval. If the secretary of administration approves
14 the plan, the department may implement the plan.”.

15 **505.** Page 775, line 12: after that line insert:

16 “**SECTION 1801mm.** 49.143 (2) (ep) of the statutes is created to read:

17 49.143 (2) (ep) Distribute the amount specified in the contract for any of the
18 following purposes, as specified in the contract:

19 1. Customized labor training for a participant in a Wisconsin works
20 employment position to provide training for a specific job that an employer has
21 guaranteed to the participant upon successful completion of the training.

22 2. Enhancement of the education and training activities described under s.
23 49.147 (4) (am) and (5) (bm).

1 3. Employment of job coaches and interpreters for participants in Wisconsin
2 works employment positions.

3 4. Support services, including child care, family counseling and in-home
4 counseling, for the treatment of alcohol and other drug abuse.

5 **SECTION 1801mn.** 49.143 (2) (ep) 2. of the statutes, as created by 1997
6 Wisconsin Act (this act), is amended to read:

7 49.143 (2) (ep) 2. Enhancement of the education and training activities
8 described under s 49.147 (4) ~~(am)~~ (b) 1. a. and (5) (bm).”.

9 **506.** Page 779, line 13: after “statutes” insert “, as affected by 1997 Wisconsin
10 Act (this act),”.

11 **507.** Page 780, line 16: after “employment.” insert “Participation in
12 customized training, as described in s. 49.143 (2) (ep) 1., shall be considered
13 participation in education and training activities under this subd. 1. a.”.

14 **508.** Page 780, line 17: after “week.” insert “To the extent that the
15 participation in customized training, as described in s. 49.143 (2) (ep) 1., exceeds 10
16 hours per week, it shall be considered participation in a community service job under
17 this subd. 1. b.”.

18 **509.** Page 780, line 24: substitute “attained the age” for “obtained the age”.

19 **510.** Page 783, line 22: after the period insert “Participation in customized
20 training, as described in s. 49.143 (2) (ep) 1., shall be considered participation in
21 education and training activities. To the extent that the participation in customized
22 training exceeds 10 hours per week, it shall also be considered part of the work
23 requirement.”.

24 **511.** Page 784, line 1: substitute “attained the age” for “obtained the age”.

1 **512.** Page 786, line 12: delete “~~\$555~~ \$673” and substitute “\$555”.

2 **513.** Page 786, line 15: delete “~~\$4.25~~ \$5.15” and substitute “\$4.25”.

3 **514.** Page 786, line 20: delete “(a)” and substitute “(c)”.

4 **515.** Page 786, line 21: delete “\$5.15” and substitute “\$4.25”.

5 **516.** Page 787, line 2: delete “\$673” and substitute “\$555”.

6 **517.** Page 787, line 5: delete “\$5.15” and substitute “\$4.25”.

7 **518.** Page 787, line 7: after the period insert “If a participant in a community
8 service job under s. 49.147 (4) (b) is required to work fewer than 30 hours per week
9 because the participant has unsubsidized employment, as defined in s. 49.147 (1) (c),
10 the grant amount under this paragraph may be reduced by an amount equal to the
11 product of \$5.15 and the difference between 30 and the number of hours the
12 participant is required to work.”.

13 **519.** Page 787, line 15: delete “~~\$518~~ \$628” and substitute “\$518”.

14 **520.** Page 787, line 19: delete “~~\$4.25~~ \$5.15” and substitute “\$4.25”.

15 **521.** Page 787, line 25: delete “~~\$555~~ \$673” and substitute “\$555”.

16 **522.** Page 788, line 3: delete “(a)” and substitute “(c)”.

17 **523.** Page 788, line 14: delete “\$673” and substitute “\$555”.

18 **524.** Page 788, line 17: delete “(a)” and substitute “(c)”.

19 **525.** Page 790, line 1: delete lines 1 to 5 and substitute “job or transitional
20 placement, if less than 12 months. The Wisconsin works agency may require the
21 participant to submit to a test for the use of a controlled substance not more than
22 every 3 months. If, at the end of 12 months, the result of each test is negative and

1 the individual is still a participant in a community service job or transitional
2 placement, the Wisconsin works agency shall discontinue the reduction under this
3 subsection.”.

4 **526.** Page 790, line 12: after that line insert:

5 “SECTION 1820c. 49.15 of the statutes is created to read:

6 **49.15 Wisconsin works; 2-parent families. (1) DEFINITION.** In this section,
7 “other parent” means a parent who is not a participant in a Wisconsin works
8 employment position.

9 **(2) REQUIREMENTS FOR NONPARTICIPANT PARENT.** (a) If a participant in a
10 Wisconsin works employment position resides with the other parent of a dependent
11 child with respect to whom the participant is a custodial parent, the other parent
12 shall participate for not fewer than 20 hours per week in any activity described under
13 sub. (3) if the Wisconsin works group receives federally funded child care assistance
14 on behalf of the dependent child.

15 (b) Paragraph (a) does not apply if the other parent is disabled, as defined by
16 the department, or is caring for a severely disabled child, as defined by the
17 department.

18 **(3) PRESCRIBED WORK ACTIVITIES.** An individual who is subject to the work
19 requirement under sub. (2) may satisfy the requirement only by participating in any
20 of the following activities:

21 (a) Unsubsidized employment, as defined in s. 49.147 (1) (a).

22 (b) Subsidized employment, as defined by the department.

23 (c) If sufficient private sector employment is not available, work experience, as
24 defined by the department.

1 (d) On-the-job training, as defined by the department.

2 (e) A community service program, as defined by the department.

3 (4) SINGLE GRANT OR SUBSIDY. Notwithstanding the number of adults in a
4 Wisconsin works group that are engaged in work activities in a month, no person,
5 other than a participant in a community service job or transitional placement may
6 receive a grant under s. 49.148 (1) (b) or (c) and no subsidy may be paid to an employer
7 under s. 49.147 (3) (a) except on behalf of a participant in a trial job, regardless of the
8 number of members of the Wisconsin works group that the employer employs.

9 (5) SANCTION. The Wisconsin works agency may reduce the monthly grant
10 amount of a participant in a community service job or transitional placement by
11 \$5.15 for every hour that an individual who is in the participant's Wisconsin work
12 group and who is subject to the work requirement under sub. (2) fails to meet the
13 work requirement in a month without good cause. Good cause shall be determined
14 by the financial and employment planner in accordance with rules promulgated by
15 the department. Good cause shall include required court appearances for a victim
16 of domestic abuse.

17 **SECTION 1820d.** 49.151 (1) (intro.) of the statutes is amended to read:

18 49.151 (1) REFUSAL TO PARTICIPATE. (intro.) A participant who refuses to
19 participate 3 times in any Wisconsin works employment position component is
20 ineligible to participate in that component. A participant is also ineligible to
21 participate in that Wisconsin works employment position component if an individual
22 in the participant's Wisconsin works group is subject to the work requirement under
23 s. 49.15 (2) and refuses 3 times to participate as required. A participant whom the
24 Wisconsin works agency has determined is ineligible under this section for a
25 particular Wisconsin works employment position component may be eligible to

1 participate in any other Wisconsin works employment position component in which
2 the participant has not refused to participate 3 times. A participant refuses to
3 participate in a Wisconsin works employment position component if the participant
4 does or an individual who is subject to the work requirement under s. 49.15 (2)
5 demonstrates a refusal to participate if any of the following applies:

6 **SECTION 1820e.** 49.151 (1) (a) of the statutes is amended to read:

7 49.151 (1) (a) ~~Expresses~~ The participant, or an individual who is in the
8 participant's Wisconsin works group and who is subject to the work requirement
9 under s. 49.15 (2), expresses verbally or in writing to a Wisconsin works agency that
10 he or she refuses to participate.

11 **SECTION 1820f.** 49.151 (1) (b) of the statutes is amended to read:

12 49.151 (1) (b) ~~Fails~~ The participant, or an individual who is in the participant's
13 Wisconsin works group and who is subject to the work requirement under s. 49.15
14 (2), fails, without good cause, as determined by the Wisconsin works agency, to
15 appear for an interview with a prospective employer or, if the participant is in a
16 Wisconsin works transitional placement, the participant fails to appear for an
17 assigned activity, including an activity under s. 49.147 (5) (b) 1. a. to e., without good
18 cause, as determined by the Wisconsin works agency.

19 **SECTION 1820g.** 49.151 (1) (c) of the statutes is amended to read:

20 49.151 (1) (c) ~~Voluntarily~~ The participant, or an individual who is in the
21 participant's Wisconsin works group and who is subject to the work requirement
22 under s. 49.15 (2), voluntarily leaves appropriate employment or training without
23 good cause, as determined by the Wisconsin works agency.

24 **SECTION 1820h.** 49.151 (1) (d) of the statutes is amended to read:

1 49.151 (1) (d) ~~Loses~~ The participant, or an individual who is in the participant's
2 Wisconsin works group and who is subject to the work requirement under s. 49.15
3 (2), loses employment as a result of being discharged for cause.

4 **SECTION 1820j.** 49.151 (1) (e) of the statutes is amended to read:

5 49.151 (1) (e) ~~Demonstrates~~ The participant, or an individual who is in the
6 participant's Wisconsin works group and who is subject to the work requirement
7 under s. 49.15 (2), demonstrates through other behavior or action, as specified by the
8 department by rule, that he or she refuses to participate in a Wisconsin works
9 employment position.”.

10 **527.** Page 800, line 15: after that line insert:

11 “**SECTION 1857f.** 49.159 (2) of the statutes is amended to read:

12 49.159 (2) MINOR CUSTODIAL PARENTS; FINANCIAL AND EMPLOYMENT COUNSELING.
13 A custodial parent who is under the age of 18 is eligible, regardless of that
14 individual's or that individual's parent's income or assets, to meet with a financial
15 and employment planner. The financial and employment planner may provide the
16 individual with information regarding Wisconsin works eligibility, available child
17 care services, employment and financial planning, family planning services, as
18 defined in s. 253.07 (1) (b), community resources, eligibility for food stamps and other
19 food and nutrition programs.”.

20 **528.** Page 804, line 3: delete lines 3 to 5 and substitute:

21 “(q) *Education, training and support services.* For the purposes set forth under
22 s. 49.143 (2) (ep), \$11,000,000 in fiscal year 1997-98 and \$10,000,000 in fiscal year
23 1998-99.”.

24 **529.** Page 806, line 25: delete that line.

1 **530.** Page 807, line 1: delete lines 1 to 14.

2 **531.** Page 808, line 6: after that line insert:

3 “**SECTION 1861d.** 49.19 (11s) (d) of the statutes is amended to read:

4 49.19 (11s) (d) From the appropriation under s. ~~20.435 (4)~~ 20.445 (3) (a), the
5 department may award grants to county departments under ss. 46.215, 46.22 and
6 46.23 for providing family planning education services relating to family planning,
7 as defined in s. 253.07 (1) (a), to persons who are subject to par. (b). The department
8 may not award a grant under this paragraph to a county department that does not
9 require written parental consent for the provision of family planning services, as
10 defined in s. 253.07 (1) (b), to minors.”.

11 **532.** Page 812, line 18: after that line insert:

12 “**SECTION 1883m.** 49.25 (7) (a) of the statutes is amended to read:

13 49.25 (7) (a) The department shall contract with the county department under
14 s. 46.215, 46.22 or 46.23 to provide education on parenting, human growth and
15 development, family planning, as defined in s. 253.07 (1) (a), and independent living
16 skills and to provide employment-related training to persons subject to the program
17 under this section and to persons subject to orders under s. 767.078 (1) (d). The
18 county department may contract with other agencies for the provision of these
19 services. The department may not contract with a county department for education
20 on family planning and a county department may not contract with another agency
21 for education on family planning if the county department or agency does not require
22 written parental consent for the provision of family planning services, as defined in
23 s. 253.07 (1) (b), to minors.”.

24 **533.** Page 825, line 19: delete “\$25,077,700” and substitute “\$30,145,200”.

1 **534.** Page 826, line 22: after “apply” insert “with respect to the delicensure
2 of beds between July 1, 1997, and October 1, 1997,”.

3 **535.** Page 826, line 23: delete “1996” and substitute “1997”.

4 **536.** Page 827, line 7: substitute “2.” for “2”.

5 **537.** Page 827, line 9: delete lines 9 to 15 and substitute:

6 “6. If subd. 4. b. applies and the nursing home later resumes licensure of a bed
7 that was delicensed between July 1, 1997, and October 1, 1997, the department shall
8 calculate the costs per patient day using the methodology specified in the state plan
9 that is in place at the time that the delicensed beds are resumed.”.

10 **538.** Page 834, line 8: after that line insert:

11 “**SECTION 1942e.** 49.45 (18) (b) 5. of the statutes is amended to read:

12 49.45 (18) (b) 5. Family planning services, as defined in s. 253.07 (1) (b).”.

13 **539.** Page 835, line 23: after “services” insert “, as defined in s. 253.07 (1) (b),”.

14 **540.** Page 838, line 24: after that line insert:

15 “**SECTION 1948p.** 49.45 (46) of the statutes is created to read:

16 49.45 (46) LIMITATION ON PAYMENTS FOR FAMILY PLANNING SERVICES. (a) In this
17 subsection, “family planning services” has the meaning given in s. 253.07 (1) (b).

18 (b) The department may not make payments for the provision of family
19 planning services under medical assistance if the provider of the family planning
20 services does not require written parental consent for the provision of family
21 planning services to minors.”.

22 **541.** Page 840, line 7: delete that line and substitute:

23 “**SECTION 1954c.** 49.46 (1) (a) 10. of the statutes is amended to read:

1 49.46 (1) (a) 10. Any child not described under subd. 1. who is under 6 years
2 of age and whose family income does not exceed 133% of the poverty line for a family
3 the size of the child's family. This If a waiver under s. 49.153 (1m) (a) is granted and
4 in effect or federal legislation that permits the application of s. 49.153 is enacted, this
5 subdivision does not apply beginning on the first day of the 6th month beginning
6 after the date stated in the notice under s. ~~49.141 (2) (d)~~ 49.153 (1m) (a).”.

7 **542.** Page 840, line 16: delete lines 16 to 24.

8 **543.** Page 841, line 14: delete that line.

9 **544.** Page 843, line 17: delete lines 17 and 18.

10 **545.** Page 843, line 22: after that line insert:

11 “**SECTION 1967d.** 49.46 (2) (a) 4. f. of the statutes is amended to read:

12 49.46 (2) (a) 4. f. ~~Family planning services~~ Services and supplies for family
13 planning, as defined in s. 253.07 (1) (a).”.

14 **546.** Page 844, line 9: after that line insert:

15 “**SECTION 1968s.** 49.46 (2) (be) of the statutes is amended to read:

16 49.46 (2) (be) Benefits for an individual eligible under sub. (1) (a) 9. are limited
17 to those services under par. (a) or (b) that are related to pregnancy, including
18 postpartum services and family planning services, as defined in s. 253.07 (1) (b), or
19 related to other conditions which may complicate pregnancy.”.

20 **547.** Page 845, line 21: after that line insert:

21 “**SECTION 1973t.** 49.47 (6) (a) 7. of the statutes is amended to read:

22 49.47 (6) (a) 7. Beneficiaries eligible under sub. (4) (a) 2. or (am) 1., for services
23 under s. 49.46 (2) (a) and (b) that are related to pregnancy, including postpartum

1 services and family planning services, as defined in s. 253.07 (1) (b), or related to
2 other conditions which may complicate pregnancy.”.

3 **548.** Page 848, line 5: after that line insert:

4 “(bm) The custodial parent assigns to the state any right of the custodial parent
5 or of the dependent child to support from any other person. No amount of support
6 that begins to accrue after the individual ceases to receive payments under this
7 section may be considered assigned to the state. Any money received by the
8 department of workforce development under an assignment to the state under this
9 paragraph shall be paid to the custodial parent.”.

10 **549.** Page 856, line 3: substitute “49.149” for “49. 149”.

11 **550.** Page 865, line 6: delete lines 6 to 14.

12 **551.** Page 865, line 20: delete lines 20 and 21.

13 **552.** Page 866, line 7: delete “(c)” and substitute “(d)”.

14 **553.** Page 881, line 10: delete lines 10 to 25.

15 **554.** Page 882, line 1: delete lines 1 and 2 and substitute:

16 “**SECTION 2112b.** 51.13 (1) (a) of the statutes is amended to read:

17 51.13 (1) (a) Except as provided in s. 51.45 (2m), the application for voluntary
18 admission of a minor ~~who is under 14 years of age~~ to an approved inpatient treatment
19 facility shall be executed by a parent who has legal custody of the minor or the
20 minor’s guardian. Any statement or conduct by a minor ~~under the age of 14~~
21 indicating that the minor does not agree to admission to the facility shall be noted
22 on the face of the application and shall be noted in the petition required by sub. (4).

23 **SECTION 2112c.** 51.13 (1) (b) of the statutes is repealed.

24 **SECTION 2112d.** 51.13 (1) (d) of the statutes is amended to read:

1 51.13 (1) (d) A minor against whom a petition or statement has been filed under
2 s. 51.15, 51.20 or 51.45 (12) or (13) may be admitted under this section. The court
3 may permit the minor to become a voluntary patient pursuant to this section upon
4 approval by the court of an application executed pursuant to par. (a),~~(b)~~ or (c), and
5 the judge shall then dismiss the proceedings under s. 51.15, 51.20 or 51.45. If a
6 hearing is held under this subsection, no hearing under sub. (4) is required.

7 **SECTION 2112e.** 51.13 (1) (e) of the statutes is amended to read:

8 51.13 (1) (e) A minor may be admitted immediately upon the approval of the
9 application executed under par. (a) ~~or (b)~~ by the treatment director of the facility or
10 his or her designee or, in the case of a center for the developmentally disabled, the
11 director of the center or his or her designee, and the director of the appropriate county
12 department under s. 51.42 or 51.437 if such county department is to be responsible
13 for the cost of the minor's therapy and treatment. Approval shall be based upon an
14 informed professional opinion that the minor is in need of psychiatric services or
15 services for developmental disability, alcoholism or drug abuse, that the treatment
16 facility offers inpatient therapy or treatment which is appropriate for the minor's
17 needs and that inpatient care in the facility is the least restrictive therapy or
18 treatment consistent with the minor's needs.

19 **SECTION 2112f.** 51.13 (2) (a) of the statutes is amended to read:

20 51.13 (2) (a) A minor may be admitted to an inpatient treatment facility
21 without complying with the requirements of this section if the admission does not
22 involve the department or a county department under s. 51.42 or 51.437, or a contract
23 between a treatment facility and the department or between a treatment facility and
24 a county department. The application for voluntary admission of a minor ~~who is 14~~

1 years of age or over shall be executed by ~~the minor and~~ a parent who has legal custody
2 of the minor or the minor's guardian.

3 **SECTION 2112g.** 51.13 (2) (b) of the statutes is repealed.

4 **SECTION 2112h.** 51.13 (2) (d) of the statutes is repealed.

5 **SECTION 2112i.** 51.13 (3) (b) of the statutes is repealed.

6 **SECTION 2112j.** 51.13 (3) (c) of the statutes is amended to read:

7 51.13 (3) (c) A minor ~~under 14 years of age~~ and his or her parent or guardian
8 shall also be informed by the director or his or her designee, both orally and in
9 writing, in easily understandable language, of the minor's right to a hearing to
10 determine continued appropriateness of the admission as provided in sub. (7).

11 **SECTION 2112k.** 51.13 (3) (e) of the statutes is amended to read:

12 51.13 (3) (e) Writing materials for use in requesting a hearing or discharge
13 under this section shall be made available to minors at all times by every inpatient
14 treatment facility. The staff of each such facility shall assist minors in preparing and
15 submitting requests for discharge or hearing hearings.

16 **SECTION 2112L.** 51.13 (4) (a) (intro.) of the statutes is amended to read:

17 51.13 (4) (a) (intro.) Within 3 days of after the admission of a minor under sub.
18 (1), or within 3 days of after application for admission of the minor, whichever occurs
19 first, the treatment director of the facility to which the minor is admitted or, in the
20 case of a center for the developmentally disabled, the director of the center, shall file
21 a verified petition for review of the admission in the court assigned to exercise
22 jurisdiction under chs. 48 and 938 in the county in which the facility is located. A
23 copy of the application for admission and of any relevant professional evaluations
24 shall be attached to the petition. The petition shall contain all of the following:

25 **SECTION 2112m.** 51.13 (4) (c) of the statutes is amended to read:

1 51.13 (4) (c) A copy of the petition shall be provided by the petitioner to the
2 minor and his or her parents or guardian within 5 days of after admission.

3 **SECTION 2112n.** 51.13 (4) (d) of the statutes is amended to read:

4 51.13 (4) (d) Within 5 days of after the filing of the petition, the court assigned
5 to exercise jurisdiction under chs. 48 and 938 shall determine, based on the
6 allegations of the petition and accompanying documents, ~~whether the admission is~~
7 ~~voluntary on the part of the minor if the minor is 14 years of age or older and whether~~
8 there is a prima facie showing that the minor is in need of psychiatric services, or
9 services for developmental disability, alcoholism or drug abuse, that the treatment
10 facility offers inpatient therapy or treatment which is appropriate to the minor's
11 needs, and that inpatient care in the treatment facility is the least restrictive therapy
12 or treatment consistent with the needs of the minor. If such a showing is made, the
13 court shall permit voluntary admission. If the court is unable to make ~~such~~ those
14 determinations based on the petition and accompanying documents, ~~it shall the~~
15 court may dismiss the petition as provided in par. (h); ~~or~~ order additional information
16 to be produced as ~~it deems~~ necessary for the court to make ~~such~~ review, ~~and make~~
17 ~~such~~ those determinations within 14 days of after admission or application for
18 admission, whichever is sooner; or ~~it may~~ hold a hearing within 14 days of after
19 admission or application for admission, whichever is sooner. If a notation of the
20 minor's unwillingness appears on the face of the petition, or if a hearing has been
21 requested by the minor, the minor's counsel, parent or guardian, the court shall hold
22 a hearing to review the admission within 14 days of after admission or application
23 for admission, whichever is sooner, and shall appoint counsel to represent the minor
24 if the minor is unrepresented. If the court ~~deems~~ considers it necessary, ~~it the court~~
25 shall also appoint a guardian ad litem to represent the minor.

1 **SECTION 2112p.** 51.13 (4) (g) (intro.) of the statutes is amended to read:

2 51.13 (4) (g) (intro.) If the court finds that the minor is in need of psychiatric
3 services, or services for developmental disability, alcoholism or drug abuse in an
4 inpatient facility, and that the inpatient facility to which the minor is admitted offers
5 therapy or treatment ~~which~~ that is appropriate for the minor's needs and ~~which~~ that
6 is the least restrictive therapy or treatment consistent with the minor's needs ~~and,~~
7 ~~in the case of a minor aged 14 or older, the application is voluntary on the part of the~~
8 ~~minor, it, the court~~ shall permit voluntary admission. If the court finds that the
9 therapy or treatment in the inpatient facility to which the minor is admitted is not
10 appropriate or is not the least restrictive therapy or treatment consistent with the
11 minor's needs, the court may order placement in or transfer to another more
12 appropriate or less restrictive inpatient facility, except that the court may not permit
13 or order placement in or transfer to ~~the northern or southern centers~~ a center for the
14 developmentally disabled of a minor unless the department ~~gives approval for the~~
15 ~~placement or transfer~~ has authorized that center for the developmentally disabled
16 for the placement or transfer of minors generally or for the placement or transfer of
17 that minor specifically, and if the order of the court is approved by all of the following
18 if applicable:

19 **SECTION 2112q.** 51.13 (4) (g) 1. of the statutes is repealed.

20 **SECTION 2112r.** 51.13 (6) (a) of the statutes is amended to read:

21 51.13 (6) (a) A minor may be admitted to an inpatient treatment facility
22 without review of the application under sub. (4) for diagnosis and evaluation or for
23 dental, medical or psychiatric services for a period not to exceed 12 days. The
24 application for short-term admission of a minor shall be executed by the minor's
25 parent or guardian, ~~and by the minor if he or she is 14 years of age or older.~~ A minor

1 may not be readmitted to an inpatient treatment facility for psychiatric services
2 under this paragraph within 120 days of after a previous admission under this
3 paragraph.

4 **SECTION 2112s.** 51.13 (7) (title), (a) and (b) of the statutes are repealed.

5 **SECTION 2112sm.** 51.13 (7) (c) of the statutes is renumbered 51.13 (7) and
6 amended to read:

7 51.13 (7) (title) CONTINUED APPROPRIATENESS OF ADMISSION. Any minor ~~under 14~~
8 ~~years of age~~ who is voluntarily admitted under this section may submit a written
9 request to the court for a hearing to determine the continued appropriateness of the
10 admission. If the director or staff of the inpatient treatment facility to which a minor
11 ~~under the age of 14~~ is admitted observes conduct by the minor which demonstrates
12 an unwillingness to remain at the facility, including ~~but not limited to~~ a written
13 expression of opinion or unauthorized absence, the director shall file a written
14 request with the court to determine the continued appropriateness of the admission.
15 A request ~~which~~ that is made personally by a minor under this paragraph subsection
16 shall be signed by the minor but need not be written or composed by him or her. A
17 request for a hearing under this ~~paragraph~~ subsection that is received by staff
18 or the director of the facility in which the child is admitted shall be filed with the court
19 by the director. The court shall order a hearing upon request if no hearing concerning
20 the minor's admission has been held within 120 days of ~~receipt of~~ before the request
21 is received. The court shall appoint counsel and, if the court deems considers it
22 necessary, a guardian ad litem to represent the minor ~~and if~~. If a hearing is held, the
23 court shall hold the hearing within 14 days of after the request, unless the parties
24 agree to a longer period. After the hearing, the court shall ~~make disposition~~ dispose
25 of the matter in the manner provided in sub. (4).

1 **SECTION 2112t.** 51.14 (3) (a) of the statutes is amended to read:

2 51.14 (3) (a) ~~Either a A minor 14 years of age or older or his or her parent or~~
3 ~~guardian~~ may petition the mental health review officer in the county in which the
4 parent or guardian has residence for a review of a refusal of ~~either the minor or his~~
5 ~~or her parent or guardian~~ to provide the informed consent for outpatient mental
6 health treatment required under s. 51.61 (6).

7 **SECTION 2112tm.** 51.14 (3) (b) 3. of the statutes is amended to read:

8 51.14 (3) (b) 3. The facts substantiating the petitioner's minor's belief that the
9 ~~minor~~ he or she needs outpatient mental health treatment.

10 **SECTION 2112u.** 51.14 (3) (b) 4. of the statutes is amended to read:

11 51.14 (3) (b) 4. Any available information which substantiates the
12 appropriateness of the particular treatment sought ~~for~~ by the minor and that the
13 particular treatment sought is the least restrictive treatment consistent with the
14 needs of the minor.

15 **SECTION 2112um.** 51.14 (3) (g) of the statutes is amended to read:

16 51.14 (3) (g) Within 21 days after the filing of a petition under this subsection,
17 the mental health review officer shall hold a hearing on the refusal of the ~~minor or~~
18 ~~the minor's parent or guardian~~ to provide informed consent for outpatient treatment.
19 The mental health review officer shall provide notice of the date, time and place of
20 the hearing to the minor and the minor's parent or guardian at least 96 hours prior
21 to the hearing.

22 **SECTION 2112v.** 51.14 (3) (h) (intro.) of the statutes is amended to read:

23 51.14 (3) (h) (intro.) If following the hearing under par. (g) and after taking into
24 consideration the recommendations, if any, of the county department under s. 51.42
25 or 51.437 made under par. (e), the mental health review officer finds all of the

1 following, he or she shall issue a written order that, notwithstanding the written,
2 informed consent requirement of s. 51.61 (6), ~~the written, informed consent of the~~
3 ~~minor, if the minor is refusing to provide consent, or the written, informed consent~~
4 ~~of the minor's parent or guardian, if the parent or guardian is refusing to provide~~
5 ~~consent,~~ is not required for outpatient mental health treatment for the minor:

6 **SECTION 2112vm.** 51.14 (4) (a) of the statutes is amended to read:

7 51.14 (4) (a) Within 21 days after the issuance of the order by the mental health
8 review officer under sub. (3) or if the requirements of sub. (3) (f) are satisfied, the
9 minor or his or her parent or guardian may petition a court assigned to exercise
10 jurisdiction under ~~ch. chs. 48 and 938~~ in the county of residence of the minor's parent
11 or guardian for a review of the refusal of ~~either the minor or his or her~~ the parent or
12 guardian to provide the informed consent for outpatient mental health treatment
13 required under s. 51.61 (6).

14 **SECTION 2112w.** 51.14 (4) (b) of the statutes is amended to read:

15 51.14 (4) (b) The petition in par. (a) shall conform to the requirements set forth
16 in sub. (3) (b). ~~If the minor has refused to provide informed consent, a notation of this~~
17 ~~fact shall be made on the face of the petition.~~

18 **SECTION 2112wm.** 51.14 (4) (c) of the statutes is amended to read:

19 51.14 (4) (c) ~~If a notation of a minor's refusal to provide informed consent to~~
20 ~~outpatient mental health treatment appears on the petition, the court shall, at least~~
21 ~~7 days prior to the time scheduled for the hearing, appoint counsel to represent the~~
22 ~~minor if the minor is unrepresented.~~ If the minor's parent or guardian has refused
23 to provide informed consent and the minor is unrepresented, the court shall appoint
24 counsel to represent the minor, if requested by the minor or determined by the court
25 to be in the best interests of the minor.

1 **SECTION 2112x.** 51.14 (4) (g) (intro.) of the statutes is amended to read:

2 51.14 (4) (g) (intro.) After the hearing under this subsection, the court shall
3 issue a written order stating that, notwithstanding the written, informed consent
4 requirement of s. 51.61 (6), ~~the written, informed consent of the minor, if the minor~~
5 ~~refuses to provide consent, or the written, informed consent of the parent or~~
6 ~~guardian, if the parent or guardian refuses to provide consent,~~ is not required for
7 outpatient mental health treatment for the minor if the court finds all of the
8 following:".

9 **555.** Page 883, line 14: after that line insert:

10 "SECTION 2115d. 51.20 (16) (a) of the statutes is amended to read:

11 51.20 (16) (a) Except in the case of alcoholic commitments under s. 51.45 (13),
12 any patient who is involuntarily committed for treatment under this chapter, may
13 on the patient's own verified petition, except in the case of a minor ~~who is under 14~~
14 ~~years of age,~~ or on the verified petition of the patient's guardian, relative, friend, or
15 any person providing treatment under the order of commitment, request a
16 reexamination or request the court to modify or cancel an order of commitment.

17 **SECTION 2115g.** 51.22 (2) of the statutes is amended to read:

18 51.22 (2) ~~Voluntary~~ Except as provided in s. 51.13 (2), voluntary admissions
19 under ss. 51.10, 51.13 and 51.45 (10) shall be through the county department under
20 s. 51.42 or 51.437 serving the person's county of residence, or through the
21 department if the person to be admitted is a nonresident of this state. Admissions
22 through a county department under s. 51.42 or 51.437 shall be made in accordance
23 with s. 51.42 (3) (as) 1. or 51.437 (4rm) (a). Admissions through the department shall
24 be made in accordance with sub. (3).

1 **SECTION 2120d.** 51.30 (5) (a) of the statutes is amended to read:

2 51.30 (5) (a) *Consent for release of information.* The parent, guardian, or person
3 in the place of a parent of a minor or the guardian of an adult adjudged incompetent
4 under ch. 880 may consent to the release of confidential information in court or
5 treatment records. ~~A minor who is aged 14 or more may consent to the release of~~
6 ~~confidential information in court or treatment records without the consent of the~~
7 ~~minor's parent, guardian or person in the place of a parent.~~ Consent under this
8 paragraph must conform to the requirements of sub. (2).

9 **SECTION 2120e.** 51.30 (5) (b) 1. of the statutes is amended to read:

10 51.30 (5) (b) 1. The guardian of an individual who is adjudged incompetent
11 under ch. 880 shall have access to the individual's court and treatment records at all
12 times. The parent, guardian or person in the place of a parent of a developmentally
13 disabled minor shall have access to the minor's court and treatment records at all
14 times ~~except in the case of a minor aged 14 or older who files a written objection to~~
15 ~~such access with the custodian of the records.~~ The parent, guardian or person in the
16 place of a parent of other minors shall have the same rights of access as provided to
17 subject individuals under this section.

18 **SECTION 2120f.** 51.30 (5) (b) 2. of the statutes is amended to read:

19 51.30 (5) (b) 2. ~~A minor upon reaching the age of 14 shall have access to his or~~
20 ~~her own court and treatment records, as provided in this section.~~ A minor under the
21 age of 14 shall have access to court records but only in the presence of parent,
22 guardian, counsel, guardian ad litem or judge and shall have access to treatment
23 records as provided in this section but only in the presence of parent, guardian,
24 counsel, guardian ad litem or staff member of the treatment facility.”

1 **556.** Page 883, line 22: after that line insert:

2 “**SECTION 2120t.** 51.35 (3) (a) of the statutes is amended to read:

3 51.35 (3) (a) A licensed psychologist of a juvenile correctional facility or a
4 secured child caring institution, as defined in s. 938.02 (15g), or a licensed physician
5 of the department of corrections, who has reason to believe that any individual
6 confined in the facility or institution is, in his or her opinion, in need of services for
7 developmental disability, alcoholism or drug dependency or in need of psychiatric
8 services, and who has obtained voluntary consent to make a transfer for treatment,
9 shall make a report, in writing, to the superintendent of the facility or institution,
10 stating the nature and basis of the belief and verifying the consent. In the case of
11 a minor ~~age 14 and over, the minor and~~, the minor’s parent or guardian shall consent
12 unless the minor is admitted under s. 51.13 (1) (c); ~~and in the case of a minor under~~
13 ~~the age of 14, only the minor’s parent or guardian need consent.~~ The superintendent
14 shall inform, orally and in writing, the minor and the minor’s parent or guardian,
15 that transfer is being considered and shall inform them of the basis for the request
16 and their rights as provided in s. 51.13 (3). If the department of corrections, upon
17 review of a request for transfer, determines that transfer is appropriate, that
18 department shall immediately notify the department of health and family services
19 and, if the department of health and family services consents, the department of
20 corrections may immediately transfer the individual. The department of corrections
21 shall file a petition under s. 51.13 (4) (a) in the court assigned to exercise jurisdiction
22 under chs. 48 and 938 of the county where the treatment facility is located.

23 **SECTION 2120u.** 51.35 (3) (b) of the statutes is amended to read:

1 51.35 (3) (b) The court assigned to exercise jurisdiction under chs. 48 and 938
2 shall determine, based on the allegations of the petition and accompanying
3 documents, ~~whether the transfer is voluntary on the part of the minor if he or she is~~
4 ~~aged 14 or over, and whether the transfer of the minor to an inpatient facility is~~
5 ~~appropriate and consistent with the needs of the minor. In the event that~~ If the court
6 is unable to make ~~such determinations~~ that determination based on the petition and
7 accompanying documents, ~~it shall~~ the court may order additional information to be
8 produced as it ~~deems necessary~~ for the court to make ~~such review, and make such~~
9 ~~determinations~~ the determination within 14 days of after admission, or ~~it~~ the court
10 may hold a hearing within 14 days of after admission. If a notation of the minor's
11 unwillingness appears on the face of the petition, or ~~that~~ if a hearing has been
12 requested by the minor, the minor's counsel, guardian ad litem, parent or guardian,
13 the court shall hold a hearing and appoint counsel or a guardian ad litem for the
14 minor as provided in s. 51.13 (4) (d). At the conclusion of the hearing, the court shall
15 approve or disapprove the request for transfer. If the minor is under the continuing
16 jurisdiction of the court of another county, the court may order the case transferred
17 together with all appropriate records to that court.

18 **SECTION 2120v.** 51.35 (3) (g) of the statutes is amended to read:

19 51.35 (3) (g) A parent or guardian of a minor ~~14 years of age or older~~ who is
20 transferred to a treatment facility under par. (a) may request in writing a return to
21 the juvenile correctional facility or secured child caring institution, as defined in s.
22 938.02 (15g). ~~In the case of a minor under 14 years of age, the parent or guardian~~
23 ~~may make the request. Upon receipt of a request for return from a minor 14 years~~
24 ~~of age or over, the director shall immediately notify the minor's parent or guardian.~~
25 The minor shall be returned to the juvenile correctional facility or secured child

1 caring institution within 48 hours after submission of the request unless a petition
2 or statement is filed for emergency detention, emergency commitment, involuntary
3 commitment or protective placement.”.

4 **557.** Page 890, line 24: after that line insert:

5 “**SECTION 2156d.** 51.61 (6) of the statutes is amended to read:

6 51.61 (6) Subject to the rights of patients provided under this chapter, the
7 department, county departments under s. 51.42 or 51.437 and any agency providing
8 services under an agreement with the department or those county departments have
9 the right to use customary and usual treatment techniques and procedures in a
10 reasonable and appropriate manner in the treatment of patients who are receiving
11 services under the mental health system, for the purpose of ameliorating the
12 conditions for which the patients were admitted to the system. The written,
13 informed consent of any patient shall first be obtained, unless the person is a minor
14 or has been found not competent to refuse medication and treatment under s. 51.61
15 (1) (g). In the case of a minor, the written, informed consent of the parent or guardian
16 is required. ~~Except, except~~ as provided under an order issued under s. 51.13 (1) (c),
17 51.14 (3) (h) or (4) (g), if the minor is 14 years of age or older, the written, informed
18 consent of the minor and the minor’s parent or guardian is required. A refusal of
19 either a parent or guardian of a minor 14 years of age or older or the minor’s parent
20 or guardian to provide written, informed consent for inpatient mental health
21 treatment is reviewable under s. 51.13 (1) (c) and a refusal of a parent or guardian
22 of a minor to provide written, informed consent for outpatient mental health
23 treatment is reviewable under s. 51.14.”.

24 **558.** Page 893, line 17: after that line insert:

1 **“SECTION 2158m.** 59.08 (7) (b) of the statutes is amended to read:

2 59.08 (7) (b) The question of the consolidation of the counties shall be submitted
3 to the voters at the next election authorized under s. 8.065 (2) or an election
4 authorized under s. 8.065 (3) to be held on the first Tuesday in April, or the next
5 regular election, or at a special election to be held on a date specified in the order
6 which shall be no sooner than 45 days after the day fixed in date of the order issued
7 under par. (a), which ~~day~~ date shall be the same in each of the counties proposing to
8 consolidate. A copy of the order shall be filed with the county clerk of each of the
9 counties. ~~If the question of consolidation is submitted at a special election, it shall~~
10 ~~be held not less than 30 days nor more than 60 days from the completion of the~~
11 ~~consolidation agreement, but not within 60 days of any spring or general election.”.~~

12 **559.** Page 900, line 21: after that line insert:

13 **“SECTION 2169m.** 59.54 (8) (a) 4. of the statutes is amended to read:

14 59.54 (8) (a) 4. At least annually, submit to the state emergency response board
15 division of emergency management in the department of military affairs a list of the
16 members of the local emergency planning committee appointed by the county board
17 under this paragraph, including the agency, organization or profession that each
18 member represents.”.

19 **560.** Page 900, line 21: after that line insert:

20 **“SECTION 2169f.** 59.53 (13) (title) of the statutes is amended to read:

21 59.53 (13) (title) ~~SUBSIDY OF~~ PAYMENTS FOR ABORTIONS AND ABORTION-RELATED
22 ACTIVITY RESTRICTED.

23 **SECTION 2169g.** 59.53 (13) of the statutes is renumbered 59.53 (13) (a).

24 **SECTION 2169h.** 59.53 (13) (b) of the statutes is created to read:

1 59.53 (13) (b) No county or agency or subdivision of a county may authorize
2 payment of funds for a grant, subsidy or other funding involving a pregnancy
3 program, project or service if s. 20.9275 (2) applies to the pregnancy program, project
4 or service.”.

5 **561.** Page 901, line 10: delete the material beginning with that line and
6 ending with page 902, line 9.

7 **562.** Page 902, line 9: after that line insert:

8 “**SECTION 2174p.** 59.692 (1) (c) of the statutes is amended to read:

9 59.692 (1) (c) “Shoreland zoning standard” means a standard for ordinances
10 enacted under this section that ~~are~~ is promulgated as ~~rules~~ a rule by the department.

11 **SECTION 2174q.** 59.692 (1t) of the statutes is created to read:

12 59.692 (1t) A county or the department may not commence an enforcement
13 action against a person who owns a building or structure that is in violation of a
14 shoreland zoning standard or an ordinance enacted under this section if the building
15 or structure has been in place for more than 7 years and if no enforcement action for
16 the violation has been previously commenced either by the county or the
17 department.”.

18 **563.** Page 902, line 9: after that line insert:

19 “**SECTION 2174pm.** 59.692 (1s) of the statutes is created to read:

20 59.692 (1s) Restrictions that are applicable to damaged or destroyed
21 nonconforming structures and that are contained in an ordinance enacted under this
22 section may not prohibit the restoration of a nonconforming structure to the size,
23 location or use that the structure had immediately before the damage or destruction

1 occurred or impose any limits on the costs of the repair, reconstruction or
2 improvement if all of the following apply:

3 (a) The nonconforming structure was damaged or destroyed after the effective
4 date of this paragraph [revisor inserts date].

5 (b) The damage or destruction was caused by violent wind, vandalism, fire or
6 a flood.”.

7 **564.** Page 902, line 10: delete lines 10 to 15.

8 **565.** Page 904, line 1: delete lines 1 to 6 and substitute:

9 “**SECTION 2178c.** 60.23 (25) of the statutes, as affected by 1995 Wisconsin Act
10 289, is amended to read:

11 60.23 (25) SELF-INSURED HEALTH PLANS. Provide health care benefits to its
12 officers and employes on a self-insured basis if the self-insured plan complies with
13 ss. 631.89, 631.90, 631.93 (2), ~~632.745 (2), (3) and (5)~~ 632.746 (10) (a) 2. and (b) 2.,
14 632.747 (3), 632.87 (4) and (5), 632.895 (9) and 632.896.

15 **SECTION 2178p.** 60.23 (25) of the statutes, as affected by 1997 Wisconsin Act
16 (this act), is amended to read:

17 60.23 (25) SELF-INSURED HEALTH PLANS. Provide health care benefits to its
18 officers and employes on a self-insured basis if the self-insured plan complies with
19 ss. 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.87 (4) and
20 (5), 632.895 (9) and (11) to (13) and 632.896.”.

21 **566.** Page 904, line 6: after that line insert:

22 “**SECTION 2178s.** 60.30 (2) (a) of the statutes is amended to read:

1 60.30 (2) (a) Only an elector of the town may hold a town office, other than an
2 assessor appointed under s. 60.307 or a town clerk, town treasurer or combined town
3 clerk and town treasurer appointed under sub. (1e).”.

4 **567.** Page 904, line 24: after that line insert:

5 “**SECTION 2181e.** 60.62 (2) of the statutes is amended to read:

6 60.62 (2) If the county in which the town is located has enacted a zoning
7 ordinance under s. 59.69, the exercise of the authority under sub. (1) is subject to
8 approval by the town meeting or by a referendum vote of the electors of the town to
9 be held at the time of any regular or special election in accordance with s. 8.065.”.

10 **568.** Page 904, line 25: delete that line.

11 **569.** Page 905, line 1: delete lines 1 to 5.

12 **570.** Page 905, line 5: after that line insert:

13 “**SECTION 2181n.** 60.74 (5) (b) of the statutes is amended to read:

14 60.74 (5) (b) A petition conforming to the requirements of s. 8.40 signed by
15 qualified electors of the district equal to at least 20% of the vote cast for governor in
16 the district at the last gubernatorial election, requesting a change to appointment
17 of commissioners, may be submitted to the town board, subject to sub. (5m) (a). Upon
18 receipt of the petition, the town board shall submit the question to a referendum at
19 the next ~~regular spring election or general election, or shall call a special election for~~
20 ~~that purpose~~ authorized under s. 8.065 (2) or an election authorized under s. 8.065
21 (3) to be held not sooner than 45 days after receipt of the petition. The inspectors
22 shall count the votes and submit a statement of the results to the commission. The
23 commission shall canvass the results of the election and certify the results to the
24 town board which has authority to appoint commissioners.

1 **SECTION 2181p.** 61.187 (1) of the statutes is amended to read:

2 61.187 (1) PROCEDURE. Whenever a petition conforming to the requirements
3 of s. 8.40, signed by at least one-third as many electors of any village as voted for
4 village officers at the next preceding election therefor, shall be presented to the
5 village board praying for dissolution of the village corporation, such board shall
6 submit to the electors of such village, for determination by ballot in substantially the
7 manner provided by ss. 5.64 (2) and 10.02, ~~at a general election or at a special election~~
8 ~~called by them for that purpose~~ the next election authorized under s. 8.065 (2) or an
9 election authorized under s. 8.065 (3) to be held not sooner than 45 days after
10 presentation of the petition, the question whether or not such village corporation
11 shall be dissolved.”.

12 **571.** Page 906, line 8: delete lines 8 to 13.

13 **572.** Page 906, line 13: after that line insert:

14 “**SECTION 4182g.** 61.46 (1) of the statutes is amended to read:

15 61.46 (1) GENERAL; LIMITATION. The village board shall, on or before December
16 15 in each year, by resolution to be entered of record, determine the amount of
17 corporation taxes to be levied and assessed on the taxable property in such village
18 for the current year. Before levying any tax for any specified purpose, exceeding one
19 percent of the assessed valuation aforesaid, the village board shall, and in all other
20 cases may in its discretion, submit the question of levying the same to the village
21 electors at ~~any general or special~~ the next election authorized under s. 8.065 (2) or
22 an election authorized under s. 8.065 (3) to be held no sooner than 45 days after
23 submission by giving 10 days’ notice thereof prior to such election by publication in
24 a newspaper published in the village, if any, and if there is none, then by posting

1 notices in 3 public places in said village, setting forth in such notices the object and
2 purposes for which such taxes are to be raised and the amount of the proposed tax.

3 **SECTION 2182i.** 62.09 (1) (a) of the statutes is amended to read:

4 62.09 (1) (a) The officers shall be a mayor, treasurer, clerk, comptroller,
5 attorney, engineer, one or more assessors unless the city is assessed by a county
6 assessor under s. 70.99, one or more constables as determined by the common
7 council, a local health officer, as defined in s. 250.01 (5), or local board of health, as
8 defined in s. 250.01 (3), street commissioner, board of police and fire commissioners
9 except in cities where not applicable, chief of police, chief of the fire department,
10 board of public works, 2 alderpersons from each aldermanic district, and such other
11 officers or boards as are created by law or by the council. If one alderperson from each
12 aldermanic district is provided under s. 66.018 (1), the council may, by ordinance
13 adopted by a two-thirds vote of all its members and approved by the electors at a
14 ~~general or special~~ any election authorized under s. 8.065, provide that there shall be
15 2 alderpersons from each aldermanic district.”.

16 **573.** Page 907, line 13: delete the material beginning with that line and
17 ending with page 908, line 10.

18 **574.** Page 908, line 11: delete lines 11 to 16.

19 **575.** Page 908, line 20: after that line insert:

20 **“SECTION 2184m.** 64.03 (1) of the statutes is amended to read:

21 64.03 (1) Every ordinance or resolution for the adoption of ss. 64.01 to 64.15,
22 and every petition for a ~~special election~~ referendum on the same, shall state the
23 number of members of which the council herein provided for shall be composed, the
24 term of office of its members, which term shall not exceed 2 years, whether they shall

1 be nominated and elected from aldermanic districts or from the city at large, and the
2 compensation, if any, which they shall receive.

3 **SECTION 2184n.** 64.39 (3) of the statutes is amended to read:

4 64.39 (3) Upon filing such petition, the mayor shall, by proclamation, submit
5 the questions prescribed in sub. (1) at a ~~special~~ the next election authorized under
6 s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held at a time specified
7 therein and within 2 months not sooner than 45 days after such petition is filed. The
8 election upon such question shall be conducted, the vote canvassed, and the result
9 declared in the same manner as provided by law for other city elections.”.

10 **576.** Page 909, line 3: after that line insert:

11 “**SECTION 2185m.** 66.01 (8) of the statutes is amended to read:

12 66.01 (8) Every charter, charter amendment or charter ordinance enacted or
13 approved by a vote of the electors shall control and prevail over any prior or
14 subsequent act of the legislative body of the city or village. Whenever the electors
15 of any city or village by a majority vote have adopted or determined to continue to
16 operate under either ch. 62 or 64, or have determined the method of selection of
17 members of the governing board, the question shall not again be submitted to the
18 electors, nor action taken thereon within a period of 2 years. Any election to change
19 or amend the charter of any city or village, other than a ~~special~~ an election as
20 ~~provided in~~ called under s. 9.20 (4), shall be held at the time provided by statute for
21 holding the spring election.”.

22 **577.** Page 910, line 14: delete “s. ss. 59.692 (7) and 62.23 (7) (am)” and
23 substitute “s. 59.692 (7)”.

24 **578.** Page 913, line 11: delete lines 11 to 21.

1 **579.** Page 916, line 22: after that line insert:

2 “**SECTION 2199m.** 66.045 (6) of the statutes is amended to read:

3 66.045 (6) Subsections (1) to (5) do not apply to telecommunications carriers,
4 as defined in s. 196.01 (8m), telecommunications utilities, as defined in s. 196.01 (10),
5 alternative telecommunications utilities, as defined in s. 196.01 (1d), public service
6 corporations, or to cooperative associations organized under ch. 185 to render or
7 furnish telecommunications service, gas, light, heat or power, but such carriers,
8 utilities, corporations and associations shall secure permit from the proper official
9 for temporary obstructions or excavation in a highway and shall be liable for all
10 injuries to person or property thereby.”.

11 **580.** Page 916, line 22: after that line insert:

12 “**SECTION 2198r.** 66.04 (1) (m) (title) of the statutes is renumbered 66.04 (1m)
13 (title) and amended to read:

14 66.04 (1m) (title) ~~SUBSIDY OF~~ PAYMENTS FOR ABORTIONS AND ABORTION-RELATED
15 ACTIVITY RESTRICTED.

16 **SECTION 2198s.** 66.04 (1) (m) of the statutes is renumbered 66.04 (1m) (a).

17 **SECTION 2198t.** 66.04 (1m) (b) of the statutes is created to read:

18 66.04 (1m) (b) No city, village or town or agency or subdivision of a city, village
19 or town may authorize payment of funds for a grant, subsidy or other funding
20 involving a pregnancy program, project or service if s. 20.9275 (2) applies to the
21 pregnancy program, project or service.”.

22 **581.** Page 917, line 8: after that line insert:

23 “**SECTION 2200td.** 66.069 (1) (b) of the statutes is amended to read:

1 66.069 (1) (b) ~~On~~ Except as provided in pars. (bg) and (bn), on October 15 in
2 each year notice shall be given to the owner or occupant of all lots or parcels of real
3 estate to which utility service has been furnished prior to October 1 by a public utility
4 operated by any town, city or village and payment for which is owing and in arrears
5 at the time of giving such notice. The department in charge of the utility shall furnish
6 the treasurer with a list of all such lots or parcels of real estate, and the notice shall
7 be given by the treasurer, unless the governing body of the city, village or town shall
8 authorize such notice to be given directly by the department. Such notice shall be
9 in writing and shall state the amount of such arrears, including any penalty assessed
10 pursuant to the rules of such utility; that unless the same is paid by November 1
11 thereafter a penalty of 10% of the amount of such arrears will be added thereto; and
12 that unless such arrears, with any such added penalty, shall be paid by November
13 15 thereafter, the same will be levied as a tax against the lot or parcel of real estate
14 to which utility service was furnished and for which payment is delinquent as above
15 specified. Such notice may be served by delivery to either such owner or occupant
16 personally, or by letter addressed to such owner or occupant at the post-office
17 address of such lot or parcel of real estate. On November 16 the officer or department
18 issuing the notice shall certify and file with the clerk a list of all lots or parcels of real
19 estate, giving the legal description thereof, to the owners or occupants of which notice
20 of arrears in payment were given as above specified and which arrears still remain
21 unpaid, and stating the amount of such arrears together with the added penalty
22 thereon as herein provided. Each such delinquent amount, including such penalty,
23 shall thereupon become a lien upon the lot or parcel of real estate to which the utility
24 service was furnished and payment for which is delinquent, and the clerk shall insert
25 the same as a tax against such lot or parcel of real estate. All proceedings in relation

1 to the collection of general property taxes and to the return and sale of property for
2 delinquent taxes shall apply to said tax if the same is not paid within the time
3 required by law for payment of taxes upon real estate. Under this paragraph, if an
4 arrearage is for utility service furnished and metered by the utility directly to a
5 mobile home unit in a licensed mobile home park, the notice shall be given to the
6 owner of the mobile home unit and the delinquent amount shall become a lien on the
7 mobile home unit rather than a lien on the parcel of real estate on which the mobile
8 home unit is located. A lien on a mobile home unit may be enforced using the
9 procedures under s. 779.48 (2). This paragraph does not apply to arrearages collected
10 using the procedure under s. 66.60 (16).

11 **SECTION 2200tp.** 66.069 (1) (bg) of the statutes is created to read:

12 66.069 (1) (bg) A municipal utility may use the procedures under par. (b) to
13 collect arrearages for electric service only if one of the following applies:

14 1. The municipality has enacted an ordinance that authorizes the use of the
15 procedures under par. (b) for the collection of arrearages for electric service provided
16 by the municipal utility.

17 2. In 1996, the municipality collected arrearages for electric service provided
18 by the municipal utility using the procedures under s. 66.60 (16), 1993 stats.”.

19 **582.** Page 917, line 8: after that line insert:

20 “**SECTION 2200s.** 66.059 (2m) (b) of the statutes is amended to read:

21 66.059 (2m) (b) If a referendum is to be held on a resolution, the municipal
22 governing body shall direct the municipal clerk to ~~call a special election for the~~
23 ~~purpose of submitting~~ submit the resolution to the electors for approval of the
24 electors at a referendum ~~on approval or rejection. In lieu of a special election, the~~

1 ~~municipal governing body may specify that the election be held at the next~~
2 ~~succeeding spring primary or election or September primary or general election~~
3 ~~called in accordance with s. 8.065.~~

4 **SECTION 2200t.** 66.061 (1) (c) of the statutes is amended to read:

5 66.061 (1) (c) No such ordinance shall be operative until 60 days after passage
6 and publication unless sooner approved by a referendum. Within that time electors
7 equal in number to 20 per cent of those voting at the last regular municipal election,
8 may demand a referendum. The demand shall be in writing and filed with the clerk.
9 Each signer shall state his or her occupation and residence and signatures shall be
10 verified by the affidavit of an elector. The referendum shall be held at the next
11 regular municipal election, or at a special election within 90 days of the authorized
12 under s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held not sooner
13 than 45 days after filing of the demand, and the ordinance shall not be effective
14 unless approved by a majority of the votes cast thereon. This paragraph shall not
15 apply to extensions by a utility previously franchised by the village or city.

16 **SECTION 2200u.** 66.075 (5) of the statutes is amended to read:

17 66.075 (5) The provisions of this section shall apply only to such counties, cities,
18 villages and towns as shall have adopted the same at any general or municipal
19 election at which the question of the establishment of such county or municipal
20 slaughterhouse shall have been submitted to the voters of such county, city, village
21 or town. Such question shall, upon the filing of a petition conforming to the
22 requirements of s. 8.40 by electors of such county, city, village or town equal in
23 number to at least 10% of all the votes cast in such county, city, village or town for
24 governor at the last preceding general election, be submitted to the electors of such
25 county, city, village or town at the next ensuing election authorized under s. 8.065 (2)

1 or an election authorized under s. 8.065 (3) to be held not sooner than 45 days after
2 filing of the petition, and if a majority of votes cast shall be in favor of the
3 establishment of such slaughterhouse, the provisions of this section shall apply to
4 such county, city, village or town.”.

5 **583.** Page 917, line 8: after that line insert:

6 “**SECTION 2200tc.** 66.067 of the statutes is amended to read:

7 **66.067 Public works projects.** For financing purposes, garbage
8 incinerators, toll bridges, swimming pools, tennis courts, parks, playgrounds, golf
9 links, bathing beaches, bathhouses, street lighting, city halls, village halls, town
10 halls, courthouses, jails, schools, cooperative educational service agencies, hospitals,
11 homes for the aged or indigent, child care centers, as defined in s. 231.01 (3c),
12 regional projects, waste collection and disposal operations, systems of sewerage,
13 local professional baseball park facilities and any and all other necessary public
14 works projects undertaken by any municipality are public utilities within the
15 meaning of s. 66.066.”.

16 **584.** Page 922, line 15: delete lines 15 to 22 and substitute:

17 “**SECTION 2210c.** 66.184 of the statutes, as affected by 1995 Wisconsin Act 289,
18 is amended to read:

19 **66.184 Self-insured health plans.** If a city, including a 1st class city, or a
20 village provides health care benefits under its home rule power, or if a town provides
21 health care benefits, to its officers and employes on a self-insured basis, the
22 self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
23 ~~632.745 (2), (3) and (5)~~ 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.87 (4) and (5),
24 632.895 (9) and (10), 632.896, 767.25 (4m) (d) and 767.51 (3m) (d).

1 **SECTION 2210m.** 66.184 of the statutes, as affected by 1997 Wisconsin Act ...
2 (this act), is amended to read:

3 **66.184 Self-insured health plans.** If a city, including a 1st class city, or a
4 village provides health care benefits under its home rule power, or if a town provides
5 health care benefits, to its officers and employes on a self-insured basis, the
6 self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
7 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.87 (4) and (5), 632.895 (9) and ~~(10)~~ to
8 (13), 632.896, 767.25 (4m) (d) and 767.51 (3m) (d).”.

9 **585.** Page 925, line 18: delete the material beginning with that line and
10 ending with page 926, line 15.

11 **586.** Page 936, line 23: after that line insert:

12 **“SECTION 2216m.** 66.504 (2) of the statutes is amended to read:

13 66.504 (2) FACILITIES AUTHORIZED. A municipality may enter into a joint
14 contract with a nonprofit corporation organized for civic purposes and located in the
15 municipality to construct or otherwise acquire, equip, furnish, operate and maintain
16 a facility to be used for municipal and civic activities if a majority of the voters voting
17 in a referendum at a special election or at a spring primary or election or September
18 primary or general an election authorized under s. 8.065 approve the question of
19 entering into the joint contract.”.

20 **587.** Page 937, line 12: after that line insert:

21 **“SECTION 2217b.** 66.521 (10) (d) of the statutes is amended to read:

22 66.521 (10) (d) The governing body may issue bonds under this section without
23 submitting the proposition to the electors of the municipality for approval unless
24 within 30 days from the date of publication of notice of adoption of the initial

1 resolution for such bonds, a petition conforming to the requirements of s. 8.40, and
2 signed by a number of electors of the municipality equal to not less than 5% of the
3 ~~registered electors of the municipality~~, or, if there is no registration of electors in the
4 municipality, by 10% of the number of electors of the municipality voting for the office
5 of governor at the last general election as determined under s. 115.01 (13), is filed
6 with the clerk of the municipality requesting a referendum upon the question of the
7 issuance of the bonds. If such a petition is filed, the bonds shall not be issued until
8 approved by a majority of the electors of the municipality voting thereon at a ~~general~~
9 ~~or special election~~ referendum called in accordance with s. 8.065.”.

10 **588.** Page 938, line 24: after that line insert:

11 “**SECTION 2218m.** 66.77 (3) (a) 1. of the statutes is amended to read:

12 66.77 (3) (a) 1. If the governing body of a county wishes to exceed the operating
13 levy rate limit otherwise applicable to the county under this section, it shall adopt
14 a resolution to that effect. The resolution shall specify either the operating levy rate
15 or the operating levy that the governing body wishes to impose for either a specified
16 number of years or an indefinite period. The governing body shall ~~call a special~~
17 ~~referendum for the purpose of submitting the resolution to the electors of the county~~
18 ~~for approval or rejection. In lieu of a special referendum, the governing body may~~
19 ~~specify that~~ provide for the referendum to be held at the next ~~succeeding spring~~
20 ~~primary or election or September primary or general election to be held~~ authorized
21 under s. 8.065 (2) or an election authorized under s. 8.065 (3) that occurs not earlier
22 than 30 days after the adoption of the resolution of the governing body.”.

23 **589.** Page 939, line 1: delete the material beginning with that line and ending
24 with page 941, line 23.

1 a bridge over or across any stream or other body of water bordering upon or
2 intersecting any part of the county, the county clerk is not required to submit the
3 resolution for approval to the electors of the county at a ~~special election~~ referendum
4 unless within 30 days after the adoption thereof there is filed with the clerk a petition
5 conforming to the requirements of s. 8.40 and requesting such submission, signed by
6 electors numbering at least 10% of the votes cast in the county for governor at the
7 last general election. If a petition is filed, the question submitted shall be whether
8 the resolution shall be or shall not be approved. No such resolution of a county board
9 other than those specified in this subsection need be submitted to county electors,
10 except as provided otherwise in sub. (7).

11 (5) REFERENDUM IN TOWNS, VILLAGES AND CITIES. (a) Whenever an initial
12 resolution has been so adopted by the governing body of a town, the clerk of the
13 municipality shall immediately record the resolution and call a ~~special election~~
14 referendum in accordance with s. 8.065 for the purpose of submitting the resolution
15 to the electors of the municipality for approval. This paragraph does not apply to
16 bonds issued to finance low-interest mortgage loans under s. 66.38, unless a number
17 of electors equal to at least 15% of the votes cast for governor at the last general
18 election in their town sign and file a petition conforming to the requirements of s. 8.40
19 with the town clerk requesting submission of the resolution. Whenever a number of
20 electors cannot be determined on the basis of reported statistics, the number shall
21 be determined in accordance with s. 60.74 (6). If a petition is filed, the question
22 submitted shall be whether the resolution shall or shall not be approved. This
23 paragraph is limited in its scope by sub. (7).

24 (b) No city or village may issue any bonds for any purposes other than for water
25 systems, lighting works, gas works, bridges, street lighting, street improvements,

1 street improvement funding, hospitals, airports, harbor improvements, river
2 improvements, breakwaters and protection piers, sewerage, garbage disposal,
3 rubbish or refuse disposal, any combination of sewage, garbage or refuse or rubbish
4 disposal, parks and public grounds, swimming pools and band shells thereon,
5 veterans housing projects, paying the municipality's portion of the cost of abolishing
6 grade crossings, for the construction of police facilities and combined fire and police
7 safety buildings, for the purchase of sites for engine houses, for fire engines and other
8 equipment of the fire department, for construction of engine houses, and for pumps,
9 water mains, reservoirs and all other reasonable facilities for fire protection
10 apparatus or equipment for fire protection, for parking lots or other parking
11 facilities, for school purposes, for libraries, for buildings for the housing of machinery
12 and equipment, for acquiring and developing sites for industry and commerce as will
13 expand the municipal tax base, for financing the cost of low-interest mortgage loans
14 under s. 66.38, for providing financial assistance to blight elimination, slum
15 clearance, community development, redevelopment and urban renewal programs
16 and projects under ss. 66.405 to 66.425, 66.43, 66.431, 66.4325, 66.435 and 66.46 or
17 for university of Wisconsin system centers until the proposition for their issue for the
18 special purpose thereof has been submitted to the electors of the city or village and
19 adopted by a majority vote. Except as provided under sub. (15), if the common council
20 of any city or the village board of any village declares its purpose to raise money by
21 issuing bonds for any purpose other than those above specified, it shall direct by
22 resolution, which shall be recorded at length in the record of its proceedings, the clerk
23 to call a ~~special election~~ referendum in accordance with s. 8.065 for the purpose of
24 submitting the question of bonding to the city or village electors. If a number of
25 electors of a city or village equal to at least 15% of the votes cast for governor at the

1 last general election in their city or village sign and file a petition conforming to the
2 requirements of s. 8.40 with the city or village clerk requesting submission of the
3 resolution, the city or village may not issue bonds for financing the cost of
4 low-interest mortgage loans under s. 66.38 ~~without calling a special election to~~
5 ~~submit the question of bonding to~~ unless the issuance is approved by the city or
6 village electors for their approval at a referendum called in accordance with s. 8.065.

7 **SECTION 2221b.** 67.05 (6a) (a) 2. a. of the statutes is amended to read:

8 67.05 **(6a)** (a) 2. a. Direct the school district clerk to call a ~~special election~~
9 referendum in accordance with s. 8.065 for the purpose of submitting the resolution
10 to the electors for approval or rejection, ~~or direct that the resolution be submitted at~~
11 ~~the next regularly scheduled primary or election~~ authorized under s. 8.065 (2) or an
12 election authorized under s. 8.065 (3) to be held not earlier than 45 days after the
13 adoption of the resolution. The resolution shall not be effective unless adopted by a
14 majority of the school district electors voting at the referendum.

15 **SECTION 2221c.** 67.05 (6m) (b) of the statutes is amended to read:

16 67.05 **(6m)** (b) If a referendum is to be held on an initial resolution, the district
17 board shall direct the technical college district secretary to call a ~~special election~~
18 referendum in accordance with s. 8.065 for the purpose of submitting the initial
19 resolution to the electors for ~~a referendum on approval or rejection.~~ ~~In lieu of a~~
20 ~~special election, the district board may specify that the election be held at the next~~
21 ~~succeeding spring primary or election or September primary or general election.~~

22 **SECTION 2221e.** 67.10 (5) (b) of the statutes is amended to read:

23 67.10 **(5)** (b) Any city having ~~voted~~ approved the issuance of bonds at a ~~special~~
24 ~~referendum election~~ held in accordance with s. 8.065 and having sold a portion

1 thereof may negotiate, sell or otherwise dispose of the same in the manner provided
2 by statute within 9 years of the date of the election voting the same.

3 **SECTION 2221g.** 67.12 (12) (e) 5. of the statutes is amended to read:

4 67.12 (12) (e) 5. Within 10 days of the adoption by a technical college district
5 board of a resolution under subd. 1. to issue a promissory note for a purpose under
6 s. 38.16 (2), the secretary of the district board shall publish a notice of such adoption
7 as a class 1 notice, under ch. 985. The notice need not set forth the full contents of
8 the resolution, but shall state the amount proposed to be borrowed, the method of
9 borrowing, the purpose thereof, that the resolution was adopted under this
10 subsection and the place where and the hours during which the resolution is
11 available for public inspection. If the amount proposed to be borrowed is for building
12 remodeling or improvement and does not exceed \$500,000 or is for movable
13 equipment, the district board need not submit the resolution to the electors for
14 approval unless, within 30 days after the publication or posting, a petition
15 conforming to the requirements of s. 8.40 is filed with the secretary of the district
16 board requesting a referendum ~~at a special election~~ to be called for that purpose.
17 Such petition shall be signed by electors from each county lying wholly or partially
18 within the district. The number of electors from each county shall equal at least 1.5%
19 of the population of the county as determined under s. 16.96 (2) (c). If a county lies
20 in more than one district, the technical college system board shall apportion the
21 county's population as determined under s. 16.96 (2) (c) to the districts involved and
22 the petition shall be signed by electors equal to the appropriate percentage of the
23 apportioned population. ~~In lieu of a special election, the district board may specify~~
24 ~~that the referendum shall be held at the next succeeding spring primary or election~~
25 ~~or September primary or general election.~~ Any resolution to borrow amounts of

1 money in excess of \$500,000 for building remodeling or improvement shall be
2 submitted to the electors of the district for approval. Any referendum under this
3 subdivision shall be called at the next election authorized under s. 8.065 (2) or an
4 election authorized under s. 8.065 (3) occurring not sooner than 45 days after filing
5 of a petition or adoption of a resolution requiring the referendum. If a referendum
6 is held or required under this subdivision, no promissory note may be issued until
7 the issuance is approved by a majority of the district electors voting at such
8 referendum. The referendum shall be noticed, called and conducted under s. 67.05
9 (6a) insofar as applicable, except that the notice of ~~special election~~ referendum and
10 ballot need not embody a copy of the resolution and the question which shall appear
11 on the ballot shall be "Shall (name of district) be authorized to borrow the sum of
12 \$.... for (state purpose) by issuing its general obligation promissory note (or notes)
13 under section 67.12 (12) of the Wisconsin Statutes?".

14 **592.** Page 943, line 19: after that line insert:

15 "SECTION 2227r. 69.186 (1) (hm) of the statutes is created to read:

16 69.186 (1) (hm) Whether the abortion was a chemically induced abortion, a
17 surgical abortion or a surgical abortion following a failed or incomplete chemical
18 abortion."

19 **593.** Page 943, line 23: after that line insert:

20 "SECTION 2230m. 69.30 (1) (d) of the statutes is created to read:

21 69.30 (1) (d) "Wisconsin works agency" has the meaning given in s. 49.001 (9).

22 SECTION 2230p. 69.30 (2) of the statutes is amended to read:

23 69.30 (2) A financial institution, state agency, county department, Wisconsin
24 works agency or service office or an employe of a financial institution, state agency,

1 county department, Wisconsin works agency or service office is not subject to s. 69.24
2 (1) (a) for copying a certified copy of a vital record for use by the financial institution,
3 state agency, county department, Wisconsin works agency or service office, including
4 use under s. 45.36 (4m), if the copy is marked "FOR ADMINISTRATIVE USE".

5 **594.** Page 944, line 12: delete the material beginning with that line and
6 ending with page 945, line 20.

7 **595.** Page 946, line 2: after that line insert:

8 "SECTION 2233v. 70.11 (39) of the statutes is created to read:

9 70.11 (39) COMPUTERS. Computers and related property; including computer
10 mainframes, minicomputers, personal computers, networked personal computers,
11 central processing units, electronic peripheral equipment, terminals, monitors, disk
12 files, tape drives, printers, basic operational programs, systems software, prewritten
13 software and custom software but not including fax machines, copiers, telephone
14 systems and equipment with embedded computerized components."

15 **596.** Page 946, line 2: after that line insert:

16 "SECTION 2234b. 70.113 (1) of the statutes is renumbered 70.113 (1) (intro.) and
17 amended to read:

18 70.113 (1) (intro.) As soon after April 20 of each year as is feasible the
19 department of natural resources shall pay to the city, village, or town treasurer ~~the~~
20 ~~sum of 80 cents per acre as a grant out of the appropriation made by s. 20.370 (5) (d)~~
21 ~~and (d)~~ on all of the following amounts from the following appropriations for each
22 acre situated in the municipality of state forest lands, as defined in s. 28.02 (1), state
23 parks under s. 27.01 and state public shooting, trapping or fishing grounds and
24 reserves or refuges operated thereon, acquired at any time under s. 29.10, 1943

1 stats., s. 23.09 (2) (d) or 29.571 (1) or from the appropriations made by s. 20.866 (2)
2 (tp) by the department of natural resources or leased from the federal government
3 by the department of natural resources;

4 **SECTION 2234c.** 70.113 (1) (a) and (b) of the statutes are created to read:

5 70.113 (1) (a) Eighty cents, to be paid from the appropriation under s. 20.370
6 (5) (da) or (dq).

7 (b) Eight cents, to be paid from the appropriation under s. 20.370 (5) (dq).”.

8 **597.** Page 961, line 15: after that line insert:

9 “**SECTION 2260t.** 71.05 (6) (a) 10. of the statutes is amended to read:

10 71.05 (6) (a) 10. For the taxable year, for a person who is not “actively engaged
11 in farming”, as that term is used in 7 CFR 1497.201, combined net losses, exclusive
12 of net gains from the sale or exchange of capital or business assets and exclusive of
13 net profits, from businesses, from rents, from partnerships, from limited liability
14 companies, from S corporations, from estates or from trusts, under section 165 of the
15 internal revenue code, except losses allowable under sections 1211 and 1231 of the
16 internal revenue code, otherwise includable in calculating Wisconsin income if those
17 losses are incurred in the operation of a farming business, as defined in section 464
18 (e) 1. of the internal revenue code to the extent that those combined net losses exceed
19 \$20,000 if nonfarm Wisconsin adjusted gross income exceeds \$55,000 but does not
20 exceed \$75,000, exceed \$17,500 if nonfarm Wisconsin adjusted gross income exceeds
21 \$75,000 but does not exceed \$100,000, exceed \$15,000 if nonfarm Wisconsin adjusted
22 gross income exceeds \$100,000 but does not exceed \$150,000, exceed \$12,500 if
23 nonfarm Wisconsin adjusted gross income exceeds \$150,000 but does not exceed
24 \$200,000, exceed \$10,000 if nonfarm Wisconsin adjusted gross income exceeds

1 \$200,000 but does not exceed \$250,000, exceed \$7,500 if nonfarm Wisconsin adjusted
2 gross income exceeds \$250,000 but does not exceed \$300,000, exceed \$5,000 if
3 nonfarm Wisconsin adjusted gross income exceeds \$300,000 but does not exceed
4 \$400,000 and exceed \$0 if nonfarm adjusted gross income exceeds \$400,000, except
5 that the amounts applicable to married persons filing separately are 50% of the
6 amounts specified in this subdivision.”

7 **598.** Page 961, line 22: after that line insert:

8 “**SECTION 2261ao.** 71.05 (6) (a) 20. of the statutes is created to read:

9 71.05 (6) (a) 20. The amount of any excess distribution, as that term is used in
10 section 1291 (b) of the Internal Revenue Code, from a passive foreign investment
11 company.”

12 **599.** Page 963, line 8: after that line insert:

13 “**SECTION 2261e.** 71.06 (1) (intro.) of the statutes is amended to read:

14 71.06 (1) (title) FIDUCIARIES, SINGLE INDIVIDUALS AND HEADS OF HOUSEHOLDS; 1986
15 TO 1997. (intro.) The tax to be assessed, levied and collected upon the taxable incomes
16 of all fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve
17 funds, and single individuals for taxable years beginning on or after August 1, 1986,
18 and before January 1, 1994, and upon the taxable incomes of all fiduciaries, except
19 fiduciaries of nuclear decommissioning trust or reserve funds, and single individuals
20 and heads of households for taxable years beginning ~~on or after January 1, 1994~~
21 December 31, 1993, and before January 1, 1998, shall be computed at the following
22 rates:

23 **SECTION 2261ee.** 71.06 (1m) of the statutes is created to read:

1 71.06 **(1m)** FIDUCIARIES, SINGLE INDIVIDUALS AND HEADS OF HOUSEHOLDS; AFTER
2 1997. The tax to be assessed, levied and collected upon the taxable incomes of all
3 fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, and
4 single individuals and heads of households shall be computed at the following rates:

5 (a) For taxable years beginning after December 31, 1997, and before January
6 1, 1999:

- 7 1. On all taxable income from \$0 to \$7,500, 4.85%.
- 8 2. On all taxable income exceeding \$7,500 but not exceeding \$15,000, 6.48%.
- 9 3. On all taxable income exceeding \$15,000, 6.87%.

10 (b) For taxable years beginning after December 31, 1998, and before January
11 1, 2000:

- 12 1. On all taxable income from \$0 to \$7,500, 4.80%.
- 13 2. On all taxable income exceeding \$7,500 but not exceeding \$15,000, 6.42%.
- 14 3. On all taxable income exceeding \$15,000, 6.79%.

15 (c) For taxable years beginning after December 31, 1999, and before January
16 1, 2001:

- 17 1. On all taxable income from \$0 to \$7,500, 4.75%.
- 18 2. On all taxable income exceeding \$7,500 but not exceeding \$15,000, 6.35%.
- 19 3. On all taxable income exceeding \$15,000, 6.72%.

20 (d) For taxable years beginning after December 31, 2000, and before January
21 1, 2002:

- 22 1. On all taxable income from \$0 to \$7,500, 4.70%.
- 23 2. On all taxable income exceeding \$7,500 but not exceeding \$15,000, 6.29%.
- 24 3. On all taxable income exceeding \$15,000, 6.65%.

25 (e) For taxable years beginning after December 31, 2001:

1 1. On all taxable income from \$0 to \$7,500, 4.66%.

2 2. On all taxable income exceeding \$7,500 but not exceeding \$15,000, 6.22%.

3 3. On all taxable income exceeding \$15,000, 6.58%.

4 **SECTION 2261eg.** 71.06 (2) (intro.) of the statutes is amended to read:

5 71.06 (2) MARRIED PERSONS. (intro.) The tax to be assessed, levied and collected
6 upon the taxable incomes of all married persons ~~for calendar year 1987 and~~
7 ~~corresponding fiscal years and for calendar and fiscal years thereafter~~ shall be
8 computed at the following rates:

9 **SECTION 2261ei.** 71.06 (2) (a) (intro.) of the statutes is amended to read:

10 71.06 (2) (a) (intro.) For joint returns, for taxable years beginning after July
11 31, 1986, and before January 1, 1998:

12 **SECTION 2261ek.** 71.06 (2) (b) (intro.) of the statutes is amended to read:

13 71.06 (2) (b) (intro.) For married persons filing separately, for taxable years
14 beginning after July 31, 1986, and before January 1, 1998:

15 **SECTION 2261eL.** 71.06 (2) (c) of the statutes is created to read:

16 71.06 (2) (c) For joint returns:

17 1. For taxable years beginning after December 31, 1997, and before January
18 1, 1999:

19 a. On all taxable income from \$0 to \$10,000, 4.85%.

20 b. On all taxable income exceeding \$10,000 but not exceeding \$20,000, 6.48%.

21 c. On all taxable income exceeding \$20,000, 6.87%.

22 2. For taxable years beginning after December 31, 1998, and before January
23 1, 2000:

24 a. On all taxable income from \$0 to \$10,000, 4.80%.

25 b. On all taxable income exceeding \$10,000 but not exceeding \$20,000, 6.42%.

1 c. On all taxable income exceeding \$20,000, 6.79%.

2 3. For taxable years beginning after December 31, 1999, and before January
3 1, 2001:

4 a. On all taxable income from \$0 to \$10,000, 4.75%.

5 b. On all taxable income exceeding \$10,000 but not exceeding \$20,000, 6.35%.

6 c. On all taxable income exceeding \$20,000, 6.72%.

7 4. For taxable years beginning after December 31, 2000, and before January
8 1, 2002:

9 a. On all taxable income from \$0 to \$10,000, 4.70%.

10 b. On all taxable income exceeding \$10,000 but not exceeding \$20,000, 6.29%.

11 c. On all taxable income exceeding \$20,000, 6.65%.

12 5. For taxable years beginning after December 31, 2001:

13 a. On all taxable income from \$0 to \$10,000, 4.66%.

14 b. On all taxable income exceeding \$10,000 but not exceeding \$20,000, 6.22%.

15 c. On all taxable income exceeding \$20,000, 6.58%.

16 **SECTION 2261em.** 71.06 (2) (d) of the statutes is created to read:

17 71.06 (2) (d) For married persons filing separately:

18 1. For taxable years beginning after December 31, 1997, and before January
19 1, 1999:

20 a. On all taxable income from \$0 to \$5,000, 4.85%.

21 b. On all taxable income exceeding \$5,000 but not exceeding \$10,000, 6.48%.

22 c. On all taxable income exceeding \$10,000, 6.87%.

23 2. For taxable years beginning after December 31, 1998, and before January
24 1, 2000:

25 a. On all taxable income from \$0 to \$5,000, 4.80%.

- 1 b. On all taxable income exceeding \$5,000 but not exceeding \$10,000, 6.42%.
- 2 c. On all taxable income exceeding \$10,000, 6.79%.
- 3 3. For taxable years beginning after December 31, 1999, and before January
- 4 1, 2001:
- 5 a. On all taxable income from \$0 to \$5,000, 4.75%.
- 6 b. On all taxable income exceeding \$5,000 but not exceeding \$10,000, 6.35%.
- 7 c. On all taxable income exceeding \$10,000, 6.72%.
- 8 4. For taxable years beginning after December 31, 2000, and before January
- 9 1, 2002:
- 10 a. On all taxable income from \$0 to \$5,000, 4.70%.
- 11 b. On all taxable income exceeding \$5,000 but not exceeding \$10,000, 6.29%.
- 12 c. On all taxable income exceeding \$10,000, 6.65%.
- 13 5. For taxable years beginning after December 31, 2001:
- 14 a. On all taxable income from \$0 to \$5,000, 4.66%.
- 15 b. On all taxable income exceeding \$5,000 but not exceeding \$10,000, 6.22%.
- 16 c. On all taxable income exceeding \$10,000, 6.58%.

17 **SECTION 2261eo.** 71.06 (2m) of the statutes is amended to read:

18 71.06 (2m) RATE CHANGES. If a rate under sub. (1), (1m) or (2) changes during

19 a taxable year, the taxpayer shall compute the tax for that taxable year by the

20 methods applicable to the federal income tax under section 15 of the internal revenue

21 code.”.

22 **600.** Page 963, line 22: after that line insert:

23 “**SECTION 2261fm.** 71.06 (2s) of the statutes, as created by 1997 Wisconsin Act

24 (this act), is renumbered 71.06 (2s) (a) and amended to read:

1 71.06 (2s) (a) For taxable years beginning after December 31, 1996, and ending
2 before January 1, 1998, with respect to nonresident individuals, including
3 individuals changing their domicile into or from this state, the tax brackets under
4 subs. (1) and (2) shall be multiplied by a fraction, the numerator of which is
5 Wisconsin adjusted gross income and the denominator of which is federal adjusted
6 gross income. In this ~~subsection~~ paragraph, for married persons filing separately
7 “adjusted gross income” means the separate adjusted gross income of each spouse,
8 and for married persons filing jointly “adjusted gross income” means the total
9 adjusted gross income of both spouses. If an individual and that individual’s spouse
10 are not both domiciled in this state during the entire taxable year, the tax brackets
11 under subs. (1) and (2) on a joint return shall be multiplied by a fraction, the
12 numerator of which is their joint Wisconsin adjusted gross income and the
13 denominator of which is their joint federal adjusted gross income.

14 **SECTION 2261fn.** 71.06 (2s) (b) of the statutes is created to read:

15 71.06 (2s) (b) For taxable years beginning after December 31, 1997, with
16 respect to nonresident individuals, including individuals changing their domicile
17 into or from this state, the tax brackets under subs. (1m) and (2) (c) and (d) shall be
18 multiplied by a fraction, the numerator of which is Wisconsin adjusted gross income
19 and the denominator of which is federal adjusted gross income. In this paragraph,
20 for married persons filing separately “adjusted gross income” means the separate
21 adjusted gross income of each spouse, and for married persons filing jointly “adjusted
22 gross income” means the total adjusted gross income of both spouses. If an individual
23 and that individual’s spouse are not both domiciled in this state during the entire
24 taxable year, the tax brackets under subs. (1m) and (2) (c) and (d) on a joint return
25 shall be multiplied by a fraction, the numerator of which is their joint Wisconsin

1 adjusted gross income and the denominator of which is their joint federal adjusted
2 gross income.”.

3 **601.** Page 973, line 20: after that line insert:

4 “**SECTION 2262ns.** 71.07 (6) (a) of the statutes is amended to read:

5 71.07 (6) (a) ~~Married~~ For taxable years beginning before January 1, 1998,
6 married persons filing a joint return, except those who reduce their gross income
7 under section 911 or 931 of the internal revenue code, may claim as a credit against,
8 but not to exceed the amount of, Wisconsin net income taxes otherwise due an
9 amount equal to 2% of the earned income of the spouse with the lower earned income,
10 but not more than \$300. In this paragraph, “earned income” means qualified earned
11 income, as defined in section 221 (b) of the internal revenue code as amended to
12 December 31, 1985, plus employe business expenses under section 62 (2) (B) to (D)
13 of that code, allocable to Wisconsin under s. 71.04, plus amounts received by the
14 individual for services performed in the employ of the individual’s spouse minus the
15 amount of disability income excluded under s. 71.05 (6) (b) 4. and minus any other
16 amount not subject to tax under this chapter. Earned income is computed
17 notwithstanding the fact that each spouse owns an undivided one-half interest in
18 the whole of the marital property. A marital property agreement or unilateral
19 statement under ch. 766 transferring income between spouses has no effect in
20 computing earned income under this paragraph.

21 **SECTION 2262nt.** 71.07 (6) (am) of the statutes is created to read:

22 71.07 (6) (am) 1. In this paragraph, “earned income” means qualified earned
23 income, as defined in section 221 (b) of the internal revenue code as amended to
24 December 31, 1985, plus employe business expenses under section 62 (2) (B) to (D)

1 of that code, allocable to Wisconsin under s. 71.04, plus amounts received by the
2 individual for services performed in the employ of the individual's spouse minus the
3 amount of disability income excluded under s. 71.05 (6) (b) 4. and minus any other
4 amount not subject to tax under this chapter. Earned income is computed
5 notwithstanding the fact that each spouse owns an undivided one-half interest in
6 the whole of the marital property. A marital property agreement or unilateral
7 statement under ch. 766 transferring income between spouses has no effect in
8 computing earned income under this paragraph.

9 2. Married persons filing a joint return, except those who reduce their gross
10 income under section 911 or 931 of the Internal Revenue Code, may claim as a credit
11 against the tax imposed under s. 71.02, up to the amount of those taxes, an amount
12 equal to one of the following:

13 a. For taxable years beginning after December 31, 1997, and before January
14 1, 1999, 2.17% of the earned income of the spouse with the lower earned income, but
15 not more than \$304.

16 b. For taxable years beginning after December 31, 1998, and before January
17 1, 2000, 2.5% of the earned income of the spouse with the lower earned income, but
18 not more than \$350.

19 c. For taxable years beginning after December 31, 1999, and before January
20 1, 2001, 2.75% of the earned income of the spouse with the lower earned income, but
21 not more than \$385.

22 d. For taxable years beginning after December 31, 2000, 3% of the earned
23 income of the spouse with the lower earned income, but not more than \$420.

24 **SECTION 2262nu.** 71.07 (6) (b) of the statutes is amended to read:

1 71.07 (6) (b) A claimant who has filed a timely claim under ~~par. (a)~~ this
2 subsection may file an amended claim with the department of revenue within 4 years
3 of the last day prescribed by law for filing the original claim.”.

4 **602.** Page 976, line 17: delete “71.06 (1)” and substitute “71.06 (1), (1m)”.

5 **603.** Page 976, line 22: delete “71.06 (1)” and substitute “71.06 (1) or under
6 s. 71.06 (1m), whichever taxable year is applicable,”.

7 **604.** Page 1019, line 9: delete that line.

8 **605.** Page 1019, line 12: delete “(3s)” and substitute “(3)”.

9 **606.** Page 1019, line 17: after that line insert:

10 “**SECTION 2280ar.** 71.34 (1) (j) of the statutes is created to read:

11 71.34 (1) (j) An addition shall be made for credits computed under s. 71.28 (3)
12 in taxable years of the tax-option corporation that begin before January 1, 1998, if
13 the credits are passed through to shareholders.”.

14 **607.** Page 1047, line 19: delete that line and substitute “changes in dollar
15 amounts in s. 71.06 (1), (1m) and (2) resulting from statutory changes, except that
16 the department may not adjust the withholding tables to reflect the changes in rates
17 in s. 71.06 (1m) and (2) (c) and (d) for any taxable year that begins before January
18 1, 2000.”.

19 **608.** Page 1047, line 20: delete “(5m).” and substitute “(5m).”.

20 **609.** Page 1052, line 24: after that line insert:

21 “**SECTION 2302m.** 71.67 (4) (a) of the statutes is amended to read:

22 71.67 (4) (a) The administrator of the lottery division in the department under
23 ch. 565 shall withhold from any lottery prize of \$2,000 or more an amount determined

1 by multiplying the amount of the prize by the highest rate applicable to individuals
2 under s. 71.06 (1) or (1m). The administrator shall deposit the amounts withheld,
3 on a monthly basis, as would an employer depositing under s. 71.65 (3) (a).

4 **SECTION 2302no.** 71.67 (5) (a) of the statutes is amended to read:

5 71.67 (5) (a) *Wager winnings.* A person holding a license to sponsor and
6 manage races under s. 562.05 (1) (b) or (c) shall withhold from the amount of any
7 payment of pari-mutuel winnings under s. 562.065 (3) (a) or (3m) (a) an amount
8 determined by multiplying the amount of the payment by the highest rate applicable
9 to individuals under s. 71.06 (1) (a) to (c) or (1m) if the amount of the payment is more
10 than \$1,000.”.

11 **610.** Page 1058, line 4: after that line insert:

12 “**SECTION 2315m.** 71.75 (5) of the statutes is amended to read:

13 71.75 (5) A claim for refund may be made within ~~2~~ 4 years after the assessment
14 of a tax or an assessment to recover all or part of any tax credit, including penalties
15 and interest, under this chapter, assessed by office audit or field audit and paid if the
16 assessment was not protested by the filing of a petition for redetermination. No
17 claim may be allowed under this subsection for any tax, interest or penalty paid with
18 respect to any item of income, credit or deduction self-assessed or determined by the
19 taxpayer or assessed as the result of any assessment made by the department with
20 respect to which all the conditions specified in this subsection are not met. If a claim
21 is filed under this subsection, the department of revenue may make an additional
22 assessment in respect to any item of income or deduction that was a subject of the
23 prior assessment. No claim for refund may be made in respect to items that were not
24 adjusted in the notice of assessment or of refund. A person whose returns for more

1 than one year have been adjusted may make a claim under this subsection whether
2 or not the net result of the adjustments for those years is an assessment. This
3 subsection does not extend the time to file under s. 71.53 (2) or 71.59 (2), and it does
4 not extend the time period during which the department of revenue may assess, or
5 the taxpayer may claim a refund, in respect to any item of income or deduction that
6 was not a subject of the prior assessment.”.

7 **611.** Page 1061, line 20: after that line insert:

8 “**SECTION 2321m.** 71.78 (4) (p) of the statutes is created to read:

9 71.78 (4) (p) The secretary of revenue and employes of that department for the
10 purpose of calculating the penalty under s. 71.83 (1) (d).”.

11 **612.** Page 1066, line 23: after that line insert:

12 “**SECTION 2332v.** 71.83 (1) (d) of the statutes is created to read:

13 71.83 (1) (d) *Sale of certain business assets or assets used in farming.* 1. If a
14 person who purchases or otherwise receives business assets or assets used in
15 farming, of which the gains realized by the transferor on the sale or disposition of
16 such assets are exempt from taxation under s. 71.05 (6) (b) 25., sells or otherwise
17 disposes of the assets within 2 years after the person purchases or receives the assets,
18 the person shall pay a penalty that is calculated under subd. 2.

19 2. The penalty described under subd. 1. shall be equal to the sum of all of the
20 following:

21 a. The amount of the capital gains exclusion received by the transferor under
22 s. 71.05 (6) (b) 25. in the transaction described in subd. 1.

23 b. The amount calculated under subd. 2. a. multiplied by a fraction, the
24 denominator of which is 24 and the numerator of which is the difference between 24

1 and the number of months between the date on which the person who is liable for the
2 penalty purchased or otherwise received the assets described in subd. 1. and the
3 month in which the person sells or otherwise disposes of the assets.

4 3. The department of revenue shall assess, levy and collect the penalty under
5 this paragraph as it assesses, levies and collects taxes under this chapter.”.

6 **613.** Page 1069, line 19: after that line insert:

7 “**SECTION 2342g.** 71.935 (1) (a) of the statutes is amended to read:

8 71.935 (1) (a) “Debt” means a parking citation of at least \$20 that is unpaid and
9 for which there has been no court appearance by the date specified in the citation or,
10 if no date is specified, that is unpaid for at least 28 days and an unpaid fine, fee,
11 restitution or forfeiture of at least \$20.

12 **SECTION 2342m.** 71.935 (2) of the statutes is amended to read:

13 71.935 (2) A municipality or county may certify to the department any debt
14 owed to it. Not later than 5 days after certification, the municipality or county shall
15 notify the debtor in writing of its certification of the debt to the department, of the
16 basis of the certification and of the debtor’s right to appeal and, in the case of parking
17 citations, of the debtor’s right to contest the citation. At the time of certification, the
18 municipality or county shall furnish to the department the name and social security
19 number of each individual debtor and the name and federal employer identification
20 number of each other debtor.

21 **SECTION 2342r.** 71.935 (3) of the statutes is amended to read:

22 71.935 (3) If the debt remains uncollected and, in the case of a parking citation,
23 if the debtor has not contested the citation within 20 days after the notice under sub.
24 (2), the department shall set off the debt against any refund that is owed to the debtor

1 after the setoff under s. 71.93. Any legal action contesting a setoff shall be brought
2 against the municipality or county.”.

3 **614.** Page 1072, line 18: delete “\$5” and substitute “\$5 \$25”.

4 **615.** Page 1072, line 19: delete that line and substitute “~~the~~ .”.

5 **616.** Page 1074, line 1: delete lines 1 and 2 and substitute “filing the petition,
6 the petitioner shall pay to the commission a \$25 filing fee. The”.

7 **617.** Page 1077, line 22: after that line insert:

8 “**SECTION 2360m.** 73.03 (51) of the statutes is created to read:

9 73.03 (51) To revoke all permits, licenses and certificates that the department
10 has issued to a person who fails timely to renew a certificate under sub. (50), and to
11 reissue those permits, licenses and certificates if the person renews the certificate
12 under sub. (50).”.

13 **618.** Page 1078, line 22: after that line insert:

14 “**SECTION 2371m.** 74.53 (1) (intro.) of the statutes is amended to read:

15 74.53 (1) RECOVERY OF TAXES AND COSTS AGAINST PERSONS. (intro.) Except as
16 provided in subs. (3) and (5), a county or a ~~city authorized to act under s. 74.87~~
17 municipality may bring a civil action against a person to recover any of the following
18 amounts that are included in the tax roll for collection and any of the amounts under
19 pars. (b) and (c) that are not included in the tax roll for collection:

20 **SECTION 2371p.** 74.53 (4) of the statutes is amended to read:

21 74.53 (4) RECOVERY LIMITED. A county or a ~~city authorized to act under s. 74.87~~
22 which municipality that proceeds against a property owner under this section may
23 not recover more than the amount owed plus interest and penalties.

24 **SECTION 2371s.** 74.53 (5) of the statutes is amended to read:

1 74.53 (5) PRIOR APPROVAL; NOTICE. No action may be commenced under sub. (1)
2 for the amounts under sub. (1) (a) unless it is approved by the county board or the
3 ~~common council of a city authorized to act under s. 74.87~~ governing body of the
4 municipality. The clerk shall mail, to the last-known address of the person against
5 whom an action is proposed to be commenced, advance written notice of the time and
6 place the county board will meet to consider approval of legal action. A county board
7 or the ~~common council of a city authorized to act under s. 74.87~~ governing body of the
8 municipality may abrogate its duty to approve and notice each action to be
9 commenced under sub. (1) by adopting an ordinance waiving the duty and specifying
10 procedures by which an action under sub. (1) may be commenced.

11 **SECTION 2371t.** 74.53 (6) of the statutes is amended to read:

12 74.53 (6) ACTION BY TAXING JURISDICTION. A taxing jurisdiction may bring a civil
13 action under this section against a person to recover special assessments as defined
14 in s. 75.36 (1) and special charges levied by it for which the county or ~~city~~ authorized
15 ~~to act under s. 74.87~~ municipality did not settle in full ~~under s. 74.29~~ or which were
16 not fully paid by proceeds distributed under s. 75.05 or 75.36. Any amount recovered
17 in an action under this subsection shall be reported to the county or city treasurer,
18 who shall subtract it from the amount owed for purposes of sub. (4).”.

19 **619.** Page 1079, line 5: after “taxes” insert “, **special assessments and**
20 **special charges”**.”.

21 **620.** Page 1079, line 12: after “taxes” insert “, special assessments and special
22 charges”.

23 **621.** Page 1079, line 13: after “those taxes” insert “, special assessments and
24 special charges”.

1 **622.** Page 1079, line 16: delete lines 16 and 17 and substitute:

2 “(b) An environmental assessment has been conducted and concludes that the
3 property is contaminated by the discharge of a hazardous substance.”.

4 **623.** Page 1079, line 22: delete lines 22 to 24 and substitute:

5 “(d) The owner of the property or another person presents to the county or city
6 an agreement entered into with the department to investigate and clean up the
7 property.”.

8 **624.** Page 1080, line 11: after that line insert:

9 “**SECTION 2373m.** 76.03 (1) of the statutes is amended to read:

10 76.03 (1) The property, both real and personal, including all rights, franchises
11 and privileges used in and necessary to the prosecution of the business and including
12 property that is exempt from the property tax under s. 70.11 (39) of any company
13 enumerated in s. 76.02 shall be deemed personal property for the purposes of
14 taxation, and shall be valued and assessed together as a unit.”.

15 **625.** Page 1081, line 13: after that line insert:

16 “**SECTION 2375m.** 76.28 (1) (d) of the statutes is amended to read:

17 76.28 (1) (d) “Gross revenues” for a light, heat and power company other than
18 a qualified wholesale electric company means total operating revenues as reported
19 to the public service commission except revenues for interdepartmental sales and for
20 interdepartmental rents as reported to the public service commission and deductions
21 from the sales and use tax under s. 77.61 (4), except that the company may subtract
22 from revenues either the actual cost of power purchased for resale, as reported to the
23 public service commission, by a light, heat and power company, except a municipal
24 light, heat and power company, that purchases under federal or state approved

1 wholesale rates more than 50% of its electric power from a person other than an
2 affiliated interest, as defined in s. 196.52 (1), if the revenue from that purchased
3 electric power is included in the seller’s gross revenues or the following percentages
4 of the actual cost of power purchased for resale, as reported to the public service
5 commission, by a light, heat and power company, except a municipal light, heat and
6 power company that purchases more than 90% of its power and that has less than
7 \$50,000,000 of gross revenues: 10% for the fee assessed on May 1, 1988, 30% for the
8 fee assessed on May 1, 1989, and 50% for the fee assessed on May 1, 1990, and
9 thereafter and except that “gross revenues” includes the revenues under par. (e) 5.,
10 whether or not those revenues are reported to the public service commission. For a
11 qualified wholesale electric company, “gross revenues” means total business
12 revenues from those businesses included under par. (e) 1. to ~~4.~~ 5.

13 **SECTION 2375r.** 76.28 (1) (e) 5. of the statutes is created to read:

14 76.28 (1) (e) 5. Producing and supplying chilled water for space cooling use,
15 unless the person sells less than 95% of its production of chilled water to the public
16 directly or indirectly or unless the person does not own, operate or control production
17 facilities that have a total cooling capacity of at least 3,000 tons.”.

18 **626.** Page 1081, line 22: after that line insert:

19 “**SECTION 2376m.** 76.81 of the statutes is amended to read:

20 **76.81 Imposition.** There is imposed a tax on the real property of, and the
21 tangible personal property of, every telephone company, ~~except including property~~
22 that is exempt from the property tax under s. 70.11 (39) but excluding motor vehicles
23 that are exempt under s. 70.112 (5) and treatment plant and pollution abatement
24 equipment that is exempt under s. 70.11 (21) (a). Except as provided in s. 76.815, the

1 rate for the tax imposed on each description of real property and on each item of
2 tangible personal property is the net rate for the prior year for the tax under ch. 70
3 in the taxing jurisdictions where the description or item is located.”.

4 **627.** Page 1084, line 11: after that line insert:

5 “**SECTION 2381m.** 77.51 (4) (a) 4. of the statutes is amended to read:

6 77.51 (4) (a) 4. Any tax included in or added to the purchase price, including
7 the taxes imposed by ss. s. 78.01, unless the tax is refunded, ss.78.40, 139.02, 139.03
8 and 139.31, the federal motor fuel tax unless the tax is refunded and any
9 manufacturers’ or importers’ excise tax; but not including any tax imposed by the
10 United States, any other tax imposed by this state or any tax imposed by any
11 municipality of this state upon or with respect to retail sales whether imposed upon
12 the retailer or the consumer if that federal, state or municipal tax is measured by a
13 stated percentage of sales price or gross receipts or the federal communications tax
14 imposed upon the services set forth in s. 77.52 (2) (a) 5. For purposes of the sales tax,
15 if a retailer establishes to the satisfaction of the department that the sales tax
16 imposed by this subchapter has been added to the total amount of the sales price and
17 has not been absorbed by the retailer, the total amount of the sales price shall be the
18 amount received exclusive of the sales tax imposed. For the purpose of this
19 subdivision, a tax shall be deemed “imposed upon or with respect to retail sales” only
20 if the retailer is the person who is required to make the payment of the tax to the
21 governmental unit levying the tax.”.

22 **628.** Page 1084, line 24: after that line insert:

23 “**SECTION 2383g.** 77.51 (4) (c) 6. of the statutes is amended to read:

1 77.51 (4) (c) 6. Charges associated with time-share property that is taxable
2 under s. 77.52 (2) (a) ~~1. or 2.~~”.

3 **629.** Page 1085, line 8: after that line insert:

4 “**SECTION 2383r.** 77.51 (15) (a) 4. of the statutes is amended to read:

5 77.51 (15) (a) 4. Any tax included in or added to the purchase price including
6 the taxes imposed by ss. s. 78.01, unless the tax is refunded, ss. 78.40, 139.02, 139.03
7 and 139.31 and the federal motor fuel tax unless the tax is refunded and including
8 also any manufacturers’ or importers’ excise tax; but not including any tax imposed
9 by the United States, any other tax imposed by this state, or any tax imposed by any
10 municipality of this state upon or with respect to retail sales whether imposed on the
11 retailer or consumer, if that federal, state or municipal tax is measured by a stated
12 percentage of sales price or gross receipts, and not including the federal
13 communications tax imposed upon the services set forth in s. 77.52 (2) (a) 5. For the
14 purpose of this subdivision, a tax shall be deemed “imposed upon or with respect to
15 retail sales” only if the retailer is the person who is required to make the payment
16 of the tax to the governmental unit levying the tax.”.

17 **630.** Page 1086, line 4: after that line insert:

18 “**SECTION 2386j.** 77.51 (21m) of the statutes is amended to read:

19 77.51 (21m) “Telecommunications services” means sending messages and
20 information transmitted through the use of local, toll and wide-area telephone
21 service; channel services; telegraph services; teletypewriter; computer exchange
22 services; cellular mobile telecommunications service; specialized mobile radio;
23 stationary two-way radio; paging service; or any other form of mobile and portable
24 one-way or two-way communications; or any other transmission of messages or

1 information by electronic or similar means between or among points by wire, cable,
2 fiber optics, laser, microwave, radio, satellite or similar facilities.
3 “Telecommunications services” does not include sending collect telecommunications
4 that are received outside of the state. In this subsection, “computer exchange
5 services” does not include providing access to or use of the internet. In this
6 subsection, “internet” means interconnecting networks that are connected to
7 network access points by telecommunications services.”.

8 **631.** Page 1086, line 11: after that line insert:

9 “SECTION 2386q. 77.52 (2) (a) 1. of the statutes is amended to read:

10 77.52 (2) (a) 1. The furnishing of rooms or lodging to transients by hotelkeepers,
11 motel operators and other persons furnishing accommodations that are available to
12 the public, irrespective of whether membership is required for use of the
13 accommodations, not including the furnishing of rooms or lodging through the sale
14 of a time-share property, as defined in s. 707.02 (32), ~~if the use of the rooms or lodging~~
15 ~~is not fixed at the time of sale as to the starting day or the lodging unit.~~ In this
16 subdivision, “transient” means any person residing for a continuous period of less
17 than one month in a hotel, motel or other furnished accommodations available to the
18 public. In this subdivision, “hotel” or “motel” means a building or group of buildings
19 in which the public may obtain accommodations for a consideration, including,
20 without limitation, such establishments as inns, motels, tourist homes, tourist
21 houses or courts, lodging houses, rooming houses, summer camps, apartment hotels,
22 resort lodges and cabins and any other building or group of buildings in which
23 accommodations are available to the public, except accommodations, including
24 mobile homes as defined in s. 66.058 (1) (d), rented for a continuous period of more

1 than one month and accommodations furnished by any hospitals, sanatoriums, or
2 nursing homes, or by corporations or associations organized and operated
3 exclusively for religious, charitable or educational purposes provided that no part of
4 the net earnings of such corporations and associations inures to the benefit of any
5 private shareholder or individual.”.

6 **632.** Page 1086, line 17: before the period insert “, and the sale of
7 telecommunications services that are paid for before the services are rendered”.

8 **633.** Page 1086, line 23: after that line insert:

9 “**SECTION 2388m.** 77.52 (7) of the statutes is created to read:

10 77.52 (7) Every person desiring to operate as a seller within this state who
11 holds a valid certificate under s. 73.03 (50) shall file with the department an
12 application for a permit for each place of operations. Every application for a permit
13 shall be made upon a form prescribed by the department and shall set forth the name
14 under which the applicant intends to operate, the location of the applicant’s place of
15 operations, and the other information that the department requires. The application
16 shall be signed by the owner if a sole proprietor; in the case of sellers other than sole
17 proprietors, the application shall be signed by the person authorized to act on behalf
18 of such sellers. A nonprofit organization that has gross receipts taxable under s.
19 77.54 (7m) shall obtain a seller’s permit and pay taxes under this subchapter on all
20 taxable gross receipts received after it is required to obtain that permit. If that
21 organization becomes eligible later for the exemption under s. 77.54 (7m) except for
22 its possession of a seller’s permit, it may surrender that permit.

23 **SECTION 2388no.** 77.52 (9) of the statutes is repealed and recreated to read:

1 77.52 (9) After compliance with sub. (7) and s. 77.61 (2) by the applicant, the
2 department shall grant and issue to each applicant a separate permit for each place
3 of operations within the state. A permit is not assignable and is valid only for the
4 person in whose name it is issued and for the transaction of operations at the place
5 designated in it. It shall at all times be conspicuously displayed at the place for which
6 it was issued.

7 **SECTION 2388p.** 77.52 (12) of the statutes is amended to read:

8 77.52 (12) A person who operates as a seller in this state without a permit or
9 after a permit has been suspended, or revoked or has expired, unless the person has
10 a temporary permit under sub. (11), and each officer of any corporation, partnership
11 member, limited liability company member or other person authorized to act on
12 behalf of a seller who so operates, is guilty of a misdemeanor. Permits shall be held
13 only by persons actively operating as sellers of tangible personal property or taxable
14 services. Any person not so operating shall forthwith surrender that person's permit
15 to the department for cancellation. The department may revoke the permit of a
16 person found not to be actively operating as a seller of tangible personal property or
17 taxable services.”.

18 **634.** Page 1087, line 3: after that line insert:

19 “**SECTION 2391m.** 77.52 (17m) (b) 7. of the statutes is amended to read:

20 77.52 (17m) (b) 7. The applicant holds a ~~valid certificate under s. 73.03 (50)~~
21 permit under sub. (9) or is registered under s. 77.53 (9).”.

22 **635.** Page 1087, line 3: after that line insert:

23 “**SECTION 2391mn.** 77.525 of the statutes is created to read:

1 **77.525 Reduction to prevent double taxation.** Any person who is subject
2 to the tax under s. 77.52 (2) (a) 5. on telecommunications services that terminate in
3 this state and who has paid a similar tax on the same services to another state may
4 reduce the amount of the tax remitted to this state by an amount equal to the similar
5 tax properly paid to another state on those services or by the amount due this state
6 on those services, whichever is less. That person shall refund proportionally to the
7 persons to whom the tax under s. 77.52 (2) (a) 5. was passed on an amount equal to
8 the amounts not remitted.”.

9 **636.** Page 1087, line 22: after that line insert:

10 “**SECTION 2392mm.** 77.53 (9) of the statutes, as affected by 1997 Wisconsin Act
11 (this act), is amended to read:

12 77.53 (9) Every retailer selling tangible personal property or taxable services
13 for storage, use or other consumption in this state shall register with the department
14 and obtain a certificate under s. 73.03 (50) and give the name and address of all
15 agents operating in this state, the location of all distribution or sales houses or offices
16 or other places of business in this state, the standard industrial code classification
17 of each place of business in this state and ~~such~~ the other information as that the
18 department requires.

19 **SECTION 2392no.** 77.53 (9m) of the statutes is amended to read:

20 77.53 (9m) Any person who is not otherwise required to collect any tax imposed
21 by this subchapter and who makes sales to persons within this state of tangible
22 personal property or taxable services the use of which is subject to tax under this
23 subchapter may register with the department under the terms and conditions that
24 the department imposes and shall obtain a valid certificate under s. 73.03 (50) and

1 thereby be authorized and required to collect, report and remit to the department the
2 use tax imposed by this subchapter.”.

3 **637.** Page 1087, line 22: after that line insert:

4 “**SECTION 2392m.** 77.53 (9) of the statutes is amended to read:

5 77.53 (9) Every retailer selling tangible personal property or taxable services
6 for storage, use or other consumption in this state shall obtain a certificate under s.
7 73.03 (50) and give the name and address of all agents operating in this state, the
8 location of all distribution or sales houses or offices or other places of business in this
9 state, the standard industrial code classification of each place of business in this
10 state and such other information as the department requires.”.

11 **638.** Page 1088, line 16: after that line insert:

12 “**SECTION 2393g.** 77.54 (9m) of the statutes is created to read:

13 77.54 (9m) The gross receipts from sales of food, food products and beverages,
14 as described in sub. (20) except that sub. (20) (b) 4. does not apply, by means of a
15 vending machine, as defined in s. 139.98 (2), and the storage, use or other
16 consumption of food, food products or beverages by the owner of a vending machine
17 in connection with the sale of food or beverages by means of a vending machine.”.

18 **639.** Page 1088, line 25: delete the material beginning with “if” and ending
19 with “members” on page 1089, line 2, and substitute “to an undergraduate student,
20 a graduate student or a student enrolled in a professional school if the student is
21 enrolled for credit at that institution and if the goods are consumed by that student
22 and meals, food, food products or beverages furnished to a national football league
23 team under a contract or agreement entered into on or before January 1, 1998”.

24 **640.** Page 1089, line 2: after that line insert:

1 **“SECTION 2393nv.** 77.54 (30) (d) of the statutes is amended to read:

2 77.54 **(30)** (d) In this subsection “residential use” means use in a structure or
3 portion of a structure which is a person’s permanent residence, but does not include
4 use in transient accommodations, as specified in s. 77.52 (2) (a) 1.; time-share
5 property, as defined in s. 707.02 (32); motor homes; or travel trailers or other
6 recreational vehicles.”.

7 **641.** Page 1089, line 7: after that line insert:

8 **“SECTION 2393t.** 77.54 (44) of the statutes is created to read:

9 77.54 **(44)** The gross receipts from the sale of and the storage, use or other
10 consumption of materials, supplies and fuel used in the maintenance of railroad
11 tracks.”.

12 **642.** Page 1092, line 18: delete “and (2dx)” and substitute “, (2dx) and (3s)”.

13 **643.** Page 1094, line 5: delete lines 5 to 23.

14 **644.** Page 1095, line 3: delete the material beginning with that line and
15 ending with page 1096, line 3.

16 **645.** Page 1096, line 9: delete “A” and substitute “Except as provided in sub.
17 (2), a”.

18 **646.** Page 1096, line 11: delete “or less”.

19 **647.** Page 1097, line 12: delete lines 12 to 15 and substitute:

20 “(2) Either a county or a municipality within that county, but not both, may
21 impose a tax under sub. (1).”.

22 **648.** Page 1097, line 20: delete lines 20 to 24.

23 **649.** Page 1098, line 4: after that line insert:

1 “(3m) The department of revenue may promulgate rules interpreting the
2 classifications under s. 77.994 (1) and specifying means of determining the
3 classifications of business. If there is a dispute whether a business is in one of the
4 classifications under s. 77.994 (1), the department of revenue’s decision is final.”.

5 **650.** Page 1098, line 6: delete “III” and substitute “V”.

6 **651.** Page 1098, line 9: delete that line and substitute “distribute 97% of the
7 taxes under this subchapter reported, for periods beginning before January 1, 2000,
8 for each municipality or county that has imposed the tax; and 98.7% of the taxes
9 reported, for periods beginning on or after January 1, 2000, for each municipality”.

10 **652.** Page 1099, line 6: delete “2%” and substitute “3%, or 5% for the rental
11 of limousines,”.

12 **653.** Page 1099, line 16: after “(9a).” insert “In this section, “limousine” means
13 a passenger automobile that has a capacity of 10 or fewer persons, excluding the
14 driver; that has a minimum of 5 seats behind the driver; that is operated for hire on
15 an hourly basis under a prearranged contract for the transportation of passengers
16 on public roads and highways along a route under the control of the person who hires
17 the vehicle and not over a defined regular route; but “limousine” does not include
18 taxicabs, hotel or airport shuttles or buses, buses employed solely in transporting
19 school children or teachers, vehicles owned and operated without charge or
20 remuneration by a business entity for its own purposes, vehicles used in carpools or
21 vanpools, public agency vehicles that are not operated as a commercial venture,
22 vehicles operated as part of the employment transit assistance program under s.
23 106.26, ambulances or any vehicle that is used exclusively in the business of funeral
24 directing.”.

1 **654.** Page 1103, line 15: after that line insert:

2 “**SECTION 2411m.** 78.005 (13b) of the statutes is created to read:

3 78.005 (13b) “Pay” means mail or deliver funds to the department or, if the
4 department prescribes another method of payment or another destination, use that
5 other method or submit to that other destination.”.

6 **655.** Page 1103, line 19: delete the material beginning with that line and
7 ending with page 1104, line 7.

8 **656.** Page 1104, line 20: delete the material beginning with that line and
9 ending with page 1105, line 6.

10 **657.** Page 1105, line 7: delete lines 7 to 9.

11 **658.** Page 1105, line 21: after that line insert:

12 “**SECTION 2416m.** 78.10 (1) of the statutes is repealed and recreated to read:

13 78.10 (1) APPLICATION. Application for a license to receive motor vehicle fuel
14 under s. 78.07 shall be made upon a form prepared and furnished by the department
15 and, in the case of a supplier, the form shall be accompanied by a copy of the
16 applicant’s license under 26 USC 4101. The application shall be subscribed by the
17 applicant and shall contain the information that the department reasonably
18 requires for the administration of this subchapter. Only a person who holds a valid
19 certificate under s. 73.03 (50) may apply for a license under this subsection.

20 **SECTION 2416n.** 78.10 (2) of the statutes is created to read:

21 78.10 (2) INVESTIGATION. The department shall investigate each applicant
22 under sub. (1). No license shall be issued if the department deems that the applicant
23 does not hold a valid certificate under s. 73.03 (50), the application is not filed in good
24 faith, the applicant is not the real party in interest and the license of the real party

1 in interest has been revoked for cause, or other reasonable cause for nonissuance
2 exists.

3 **SECTION 2416p.** 78.10 (3) of the statutes is created to read:

4 78.10 (3) HEARING. Before refusing to issue a license, the department shall
5 grant the applicant a hearing, of which the applicant shall be given at least 5 days'
6 written notice.

7 **SECTION 2416q.** 78.10 (4) of the statutes is created to read:

8 78.10 (4) ISSUE. If the application and the bond under s. 78.11, if that bond is
9 required, are approved, the department shall issue a license.”.

10 **659.** Page 1106, line 5: delete lines 5 to 10.

11 **660.** Page 1106, line 11: after “is” insert “renumbered 78.12 (5) and”.

12 **661.** Page 1106, line 12: delete “78.12 (5) (a)” and substitute “78.12 (5)
13 PAYMENT OF TAX.”.

14 **662.** Page 1107, line 3: delete lines 3 to 6 and substitute:

15 “**SECTION 2420r.** 78.12 (5) (b) of the statutes is repealed.”.

16 **663.** Page 1109, line 2: delete “under s. ss. 78.405 and 78.407” and substitute
17 “under s. 78.405”.

18 **664.** Page 1109, line 14: after that line insert:

19 “**SECTION 2428g.** 78.405 of the statutes is repealed and recreated to read:

20 **78.405 Annual adjustment of the tax rate. (1)** Before April 1, the
21 department annually shall calculate the rate for the tax under s. 78.40 as follows:

22 (a) Determine the standard number of British thermal units per gallon
23 generated by gasoline.

1 (b) Determine the standard number of British thermal units per gallon
2 generated by each kind of alternate fuel that is sold in this state.

3 (c) For each kind of alternate fuel sold in this state, divide the result under par.
4 (b) by the result under par. (a).

5 (d) For each kind of alternate fuel sold in this state, multiply the result under
6 par. (c), expressed as a decimal, by the rate for the tax under s. 78.01 as adjusted for
7 the current year under s. 78.015.

8 (2) The rates determined under sub. (1) are effective on the April 1 after they
9 are calculated.”.

10 **665.** Page 1109, line 15: delete lines 15 to 17.

11 **666.** Page 1109, line 17: after that line insert:

12 “**SECTION 2428p.** 78.47 of the statutes is amended to read:

13 **78.47 Alternate fuels license.** No person may act as an alternate fuels dealer
14 in this state unless the person holds a valid alternate fuels license issued by the
15 department and a valid certificate under s. 73.03 (50). Except for alternate fuel
16 which is delivered by an alternate fuels dealer into a fuel supply tank of any motor
17 vehicle in this state, no person may use an alternate fuel in this state unless the
18 person holds a valid alternate fuel license issued by the department or unless the
19 alternate fuel has been delivered by a supplier who is authorized under s. 78.40 (1)
20 to report and pay the tax on behalf of the user or retailer.

21 **SECTION 2428r.** 78.48 (1) of the statutes is repealed and recreated to read:

22 78.48 (1) APPLICATION. Application for an alternate fuels license shall be made
23 upon a form prepared and furnished by the department. It shall be subscribed by the
24 applicant and shall contain the information that the department reasonably

1 requires for the administration of this subchapter. Only a person who holds a valid
2 certificate under s. 73.03 (50) may apply for a license under this subsection.

3 **SECTION 2428t.** 78.48 (2) of the statutes is created to read:

4 78.48 (2) INVESTIGATION. The department shall investigate each applicant
5 under sub. (1). No license may be issued if the department deems that the applicant
6 does not hold a valid certificate under s. 73.03 (50), the application is not filed in good
7 faith, the applicant is not the real party in interest and the license of the real party
8 in interest has been revoked for cause, or other reasonable cause for nonissuance
9 exists.

10 **SECTION 2428u.** 78.48 (3) of the statutes is created to read:

11 78.48 (3) HEARING. Before refusing to issue a license, the department shall
12 grant the applicant a hearing, of which the applicant shall be given at least 5 days'
13 written notice.

14 **SECTION 2428v.** 78.48 (4) of the statutes is created to read:

15 78.48 (4) ISSUE. If the application and the bond under sub. (9), if that bond is
16 required, are approved, the department shall issue a license in as many copies as the
17 licensee has places of business for which an alternate fuels license is required.”.

18 **667.** Page 1110, line 6: after that line insert:

19 “**SECTION 2429g.** 78.49 (1) (b) of the statutes is amended to read:

20 78.49 (1) (b) The department may allow alternate fuels licensees whose tax
21 liability is less than \$500 per quarter to file on a quarterly basis. Quarterly reports
22 shall be ~~mailed~~ filed on or before the last day of the next month following the end of
23 each calendar quarter. The report shall contain the declaration, subscription and
24 information specified in par. (a).”.

1 **668.** Page 1110, line 13: after that line insert:

2 “**SECTION 2431m.** 78.55 (5m) of the statutes is created to read:

3 78.55 (5m) “Pay” means mail or deliver funds to the department or, if the
4 department prescribes another method of payment or another destination, use that
5 other method or submit to that other destination.”.

6 **669.** Page 1110, line 17: delete the material beginning with that line and
7 ending with page 1111, line 3.

8 **670.** Page 1111, line 3: after that line insert:

9 “**SECTION 2432p.** 78.56 of the statutes is amended to read:

10 **78.56 General aviation fuel license.** No person may act as a general
11 aviation fuel dealer in this state unless the person is the holder of a valid general
12 aviation fuel license issued to the person by the department and is the holder of a
13 valid certificate under s. 73.03 (50).

14 **SECTION 2432q.** 78.57 (1) of the statutes is repealed and recreated to read:

15 78.57 (1) APPLICATION. Application for a general aviation fuel license shall be
16 made on a form prepared and furnished by the department. It shall be subscribed
17 by the applicant and shall contain the information that the department reasonably
18 requires for the administration of this chapter. Only a person who holds a valid
19 certificate under s. 73.03 (50) may apply for a license under this subsection.

20 **SECTION 2432r.** 78.57 (2) of the statutes is created to read:

21 78.57 (2) INVESTIGATION. The department shall investigate each applicant
22 under sub. (1). No license may be issued if the department determines any of the
23 following:

24 (a) That the application was not filed in good faith.

1 (b) That the applicant is not the real party in interest and the license of the real
2 party in interest has been revoked for cause.

3 (c) That the applicant does not hold a valid certificate under s. 73.03 (50).

4 (d) That other reasonable cause for nonissuance exists.

5 **SECTION 2432s.** 78.57 (3) of the statutes is created to read:

6 78.57 (3) HEARING. Before refusing to issue a license, the department shall
7 grant the applicant a hearing, of which he or she shall be given at least 5 days'
8 advance written notice.

9 **SECTION 2432t.** 78.57 (4) of the statutes is created to read:

10 78.57 (4) ISSUE. If the application and the bond under sub. (9), if that bond is
11 required, are approved, the department shall issue a license in as many copies as the
12 licensee has places of business for which a general aviation fuel license is required.”.

13 **671.** Page 1111, line 18: after that line insert:

14 “**SECTION 2433c.** 78.58 (1) (b) of the statutes is amended to read:

15 78.58 (1) (b) The department may allow a licensee whose tax liability is less
16 than or equal to \$500 per quarter to file on a quarterly basis. The licensee shall mail
17 file the quarterly report for the next preceding quarter to the department on or before
18 the 20th day of each quarter.”.

19 **672.** Page 1111, line 19: delete the material beginning with that line and
20 ending with page 1112, line 4, and substitute:

21 “**SECTION 2434b.** 78.58 (3) of the statutes is repealed and recreated to read:”.

22 **673.** Page 1116, line 9: after that line insert:

23 “**SECTION 2444m.** 78.77 (1) of the statutes is amended to read:

1 78.77 (1) No person may transport motor vehicle fuel, general aviation fuel or
2 alternate fuels by truck, trailer, semitrailer or other vehicle on any highway in this
3 state from a point without this state to a point within this state, from a point within
4 this state to a point without this state or for hire, as defined in s. 194.01 (4), unless
5 each that person has a valid certificate under s. 73.03 (50) and is registered with the
6 department and unless the registration number furnished by the department for the
7 vehicle preceded by the letters W.D.R. is prominently displayed on the vehicle by
8 painting the registration number on each side and on the rear of the vehicle in
9 characters not less than 5 inches in height with a stroke not less than three-fourths
10 inch in width. The registration is valid until it is suspended, revoked for cause or
11 canceled. A registration is not transferable to another person or place of business.
12 Application for registration shall be upon forms prescribed by the department and
13 shall furnish such information concerning the applicant as the department requires.
14 The application shall show the name and address of the applicant, a description of
15 the truck, trailer, semitrailer or other vehicle, the license number and the state in
16 which issued, the name and address of the licensee, the capacity in gallons of the fuel
17 tank or tanks, the serial number of the trailer, semitrailer or other vehicle, and the
18 serial and motor number of any truck.”.

19 **674.** Page 1116, line 17: after that line insert:

20 “**SECTION 2445m.** 79.005 (3) of the statutes is amended to read:

21 79.005 (3) “Production plant” also includes substations and facilities under s.
22 76.28 (1) (e) 5.”.

23 **675.** Page 1117, line 17: after that line insert:

24 “**SECTION 2448m.** 79.04 (1) (a) of the statutes is amended to read:

1 79.04 (1) (a) An amount from the shared revenue account determined by
2 multiplying by 3 mills in the case of a town, and 6 mills in the case of a city or village,
3 the first \$125,000,000 of the amount shown in the account, plus leased property, of
4 each public utility except qualified wholesale electric companies, as defined in s.
5 76.28 (1) (gm), on December 31 of the preceding year for either “production plant,
6 exclusive of land” and “general structures”, or “work in progress” for production
7 plants and general structures under construction, in the case of light, heat and power
8 companies, electric cooperatives or municipal electric companies, for all property
9 within a municipality in accordance with the system of accounts established by the
10 public service commission or rural electrification administration or with the
11 department of revenue’s reporting requirements, less depreciation thereon as
12 determined by the department of revenue and less the value of treatment plant and
13 pollution abatement equipment, as defined under s. 70.11 (21) (a), as determined by
14 the department of revenue plus an amount from the shared revenue account
15 determined by multiplying by 3 mills in the case of a town, and 6 mills in the case
16 of a city or village, of the first \$125,000,000 of the total original cost of production
17 plant, general structures and work-in-progress less depreciation, land and
18 approved waste treatment facilities of each qualified wholesale electric company, as
19 defined in s. 76.28 (1) (gm), as reported to the department of revenue of all property
20 within the municipality. The total of amounts, as depreciated, from the accounts of
21 all public utilities for the same production plant is also limited to not more than
22 \$125,000,000. The amount distributable to a municipality in any year shall not
23 exceed \$300 times the population of the municipality.

24 **SECTION 2448r.** 79.04 (2) (a) of the statutes is amended to read:

1 79.04 (2) (a) Annually, the department of administration, upon certification by
2 the department of revenue, shall distribute from the shared revenue account to any
3 county having within its boundaries a production plant or a general structure,
4 including production plants and general structures under construction, used by a
5 light, heat or power company assessed under s. 76.28 (2), except property described
6 in s. 66.069 (2) unless the production plant is owned or operated by a local
7 governmental unit that is located outside of the municipality in which the production
8 plant is located, or by an electric cooperative assessed under ss. 76.07 and 76.48,
9 respectively, or by a municipal electric company under s. 66.073 an amount
10 determined by multiplying by 6 mills in the case of property in a town and by 3 mills
11 in the case of property in a city or village the first \$125,000,000 of the amount shown
12 in the account, plus leased property, of each public utility except qualified wholesale
13 electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the preceding
14 year for either “production plant, exclusive of land” and “general structures”, or
15 “work in progress” for production plants and general structures under construction,
16 in the case of light, heat and power companies, electric cooperatives or municipal
17 electric companies, for all property within the municipality in accordance with the
18 system of accounts established by the public service commission or rural
19 electrification administration or with the department of revenue’s reporting
20 requirements, less depreciation thereon as determined by the department of revenue
21 and less the value of treatment plant and pollution abatement equipment, as defined
22 under s. 70.11 (21) (a), as determined by the department of revenue plus an amount
23 from the shared revenue account determined by multiplying by 6 mills in the case
24 of property in a town, and 3 mills in the case of property in a city or village, of the total
25 original cost of production plant, general structures and work-in-progress less

1 depreciation, land and approved waste treatment facilities of each qualified
2 wholesale electric company, as defined in s. 76.28 (1) (gm), as reported to the
3 department of revenue of all property within the municipality. The total of amounts,
4 as depreciated, from the accounts of all public utilities for the same production plant
5 is also limited to not more than \$125,000,000. The amount distributable to a county
6 in any year shall not exceed \$100 times the population of the county.”.

7 **676.** Page 1120, line 9: after that line insert:

8 “**SECTION 2465hm.** 83.013 (2) of the statutes is amended to read:

9 83.013 (2) The department shall furnish each commission with traffic accident
10 data and uniform traffic citation data for the rural, federal, state, and county
11 highways in the jurisdictions represented in each commission, which shall identify
12 the accident rates and arrest rates on their highways, ~~in the form prescribed by the~~
13 ~~council on traffic law enforcement,~~ and shall also furnish a suitable map for use in
14 spotting accidents.”.

15 **677.** Page 1120, line 9: after that line insert:

16 “**SECTION 2465h.** 81.01 (3) (b) of the statutes is amended to read:

17 81.01 (3) (b) The town board by resolution submits to the electors of the town
18 as a referendum at a ~~general or special town~~ an election authorized under s. 8.065
19 the question of exceeding the \$10,000 limit set under this subsection. The board shall
20 abide by the majority vote of the electors of the town on the question. The question
21 shall read as follows:

22 Shall the town of ... spend \$... over the annual limit of \$10,000 for the
23 construction and repair of its highways and bridges?

24 FOR SPENDING - AGAINST SPENDING -”.

1 **678.** Page 1120, line 19: delete “86.312 (2) (a)”.

2 **679.** Page 1127, line 24: after that line insert:

3 “**SECTION 2475d.** 84.60 (2m) of the statutes is created to read:

4 84.60 **(2m)** No state or federal funds may be expended by the department for
5 the establishment or maintenance of a bikeway associated with the Hoan Bridge in
6 the city of Milwaukee.”.

7 **680.** Page 1128, line 13: after that line insert:

8 “**SECTION 2475mg.** 85.01 (2m) of the statutes is created to read:

9 85.01 **(2m)** “Municipality” means a city, village or town.

10 **SECTION 2475mm.** 85.022 (3) of the statutes is amended to read:

11 85.022 **(3)** A recipient of funding under this section shall make the results of
12 its study available to any interested ~~city, village, town~~ municipality or county.

13 **SECTION 2475mr.** 85.024 (1) of the statutes is amended to read:

14 85.024 **(1)** In this section, “political subdivision” means a municipality or
15 ~~county, city, village or town~~.”.

16 **681.** Page 1128, line 13: after that line insert:

17 “**SECTION 2475mo.** 85.023 of the statutes is amended to read:

18 **85.023 Planning for bicycle facilities.** ~~The~~ Subject to s. 84.60 (2m), the
19 department shall assist any regional or municipal agency or commission in the
20 planning, promotion and development of bikeways as defined in s. 84.60 (1) (a). The
21 department shall draft model local zoning ordinances for the planning, promotion
22 and development of bikeways and bicycle racks.

23 **SECTION 2475r.** 85.024 (2) of the statutes is amended to read:

1 85.024 (2) The Subject to s. 84.60 (2m), the department shall administer a
2 bicycle and pedestrian facilities program to award grants of assistance to political
3 subdivisions for the planning, development or construction of bicycle and pedestrian
4 facilities. Annually, the department shall award from the appropriation under s.
5 20.395 (2) (fx) grants to political subdivisions under this section. A political
6 subdivision that is awarded a grant under this section shall contribute matching
7 funds equal to at least 25% of the amount awarded under this section. The
8 department shall select grant recipients annually beginning in 1994 from
9 applications submitted to the department on or before April 1 of each year.”.

10 **682.** Page 1128, line 13: after that line insert:

11 “**SECTION 2475mh.** 85.021 of the statutes is created to read:

12 **85.021 Light rail transit systems; funding prohibition.** Notwithstanding
13 ss. 85.022 and 85.063, no state or federal funds may be expended by the department
14 for any purpose related to a light rail transit system.”.

15 **683.** Page 1128, line 13: after that line insert:

16 “**SECTION 2475mn.** 85.0225 of the statutes is created to read:

17 **85.0225 Light rail transit systems; funding prohibition.** No funds may
18 be expended by Milwaukee County for any purpose related to a light rail transit
19 system unless the county board authorizes such expenditure by resolution and the
20 resolution is ratified in a referendum of the electors of Milwaukee County.”.

21 **684.** Page 1128, line 24: after that line insert:

22 “**SECTION 2476g.** 85.037 of the statutes is created to read:

23 **85.037 Certification of fees collected.** Annually, no later than October 1,
24 the secretary of transportation shall certify to the secretary of administration the

1 amount of fees collected under s. 342.14 (3m) during the previous fiscal year, for the
2 purpose of determining the amounts to be transferred under s. 20.855 (4) (f) during
3 the current fiscal year.”.

4 **685.** Page 1131, line 2: after that line insert:

5 “**SECTION 2481he.** 85.063 (1) (b) of the statutes is amended to read:

6 85.063 (1) (b) “Urban area” means any area that includes a ~~city, village or town~~
7 municipality having a population of 50,000 or more that is appropriate, in the
8 judgment of the department, for an urban rail transit system.

9 **SECTION 2481hh.** 85.065 (1) (a) (intro.) of the statutes is amended to read:

10 85.065 (1) (a) (intro.) Any municipality or ~~county, city, village, town or~~
11 combination thereof may apply to the department for a study of the cost and benefits
12 of the location and form of railroad lines, associated facilities, and railroad
13 operations within an urban area. Upon receiving such application, the department
14 may undertake or contract for a study to determine the extent to which the existing
15 location of such lines, facilities and operations serves the public interests in:

16 **SECTION 2481hp.** 85.08 (2) (i) of the statutes is amended to read:

17 85.08 (2) (i) To make and execute contracts with the federal government, any
18 other state or any municipality, ~~county, city, village, town,~~ railroad, or any transit
19 commission organized under s. 59.58 (3), 66.30 or 66.943, to ensure the continuance
20 and improvement of quality transportation service at reasonable rates or to provide
21 for rail service on rail property owned by the state.

22 **SECTION 2481ht.** 85.08 (4m) (b) 1. of the statutes is amended to read:

1 85.08 (4m) (b) 1. “Eligible applicant” means a county, or municipality or town
2 or agency thereof, a railroad, a current or potential user of freight rail service or a
3 transit commission organized under s. 59.58 (3), 66.30 or 66.943.”.

4 **686.** Page 1131, line 2: after that line insert:

5 “**SECTION 2481hi.** 85.07 (8) of the statutes is created to read:

6 85.07 (8) INNOVATIVE SAFETY MEASURES PILOT PROGRAM. The department shall
7 develop and administer an innovative safety measures pilot program to improve the
8 safety of highways in this state, including USH 10. The department shall identify
9 those highways eligible for funding for safety improvements under s. 20.395 (3) (cq)
10 that have high motor vehicle accident rates. From the appropriation under s. 20.395
11 (3) (cq), the department shall expend \$250,000 in each fiscal year for any innovative
12 measures that improve safety on such highways, including safety lighting for
13 underpasses, and entrance and exit ramps; warning lights on dangerous curves;
14 speed detection signs; increasing the number of speed limit signs; rumble strips at
15 intersections; measures to alert approaching motorists to an intersection; and
16 increasing the patrolling of such highways by police. The department shall
17 promulgate rules to implement this subsection.”.

18 **687.** Page 1131, line 2: after that line insert:

19 “**SECTION 2481hc.** 85.062 (1) (intro.) and (a) of the statutes are consolidated,
20 renumbered 85.062 (1) and amended to read:

21 85.062 (1) In this section, “major transit capital improvement project” means
22 a project that has a total cost of more than \$5,000,000 and which involves ~~any of the~~
23 following: ~~(a) Construction~~ construction of a separate roadway designated for use
24 by buses or other high-occupancy modes of travel.

1 **SECTION 2481hd.** 85.062 (1) (b) of the statutes is repealed.”.

2 **688.** Page 1131, line 3: delete lines 3 to 14.

3 **689.** Page 1131, line 15: delete that line and substitute:

4 “**SECTION 2481jd.** 85.08 (4m) (e) 2. d. of the statutes is amended to read:

5 85.08 (4m) (e) 2. d. Relocation of a freight rail off-loading facility that has been
6 agreed to by the owner of the facility; the ~~city, village or town~~ municipality in which
7 the facility is located; and the ~~city, village or town~~ municipality in which the facility
8 will be relocated.

9 **SECTION 2481jg.** 85.08 (5) (a) 1. of the statutes is amended to read:

10 85.08 (5) (a) 1. A ~~city, town or village~~ municipality with a population of 4,000
11 or less.

12 **SECTION 2481jj.** 85.08 (5) (a) 2. of the statutes is amended to read:

13 85.08 (5) (a) 2. A ~~city, town or village~~ municipality that is located in a county
14 with a population density of less than 150 persons per square mile.

15 **SECTION 2481jm.** 85.09 (1) (b) of the statutes is repealed.

16 **SECTION 2481jp.** 85.095 (1) (a) of the statutes is amended to read:

17 85.095 (1) (a) “Eligible applicant” means a county, or ~~municipality, town~~ or
18 agency thereof or a board of harbor commissioners organized under s. 30.37.

19 **SECTION 2481js.** 85.095 (4) of the statutes is amended to read:

20 85.095 (4) HARBOR IMPROVEMENTS ON MISSISSIPPI RIVER. An eligible applicant
21 may receive a grant under this section for harbor improvements located on an island
22 in the Mississippi River regardless of the state in which the island is located if the
23 island is owned by a ~~city, village, town~~ municipality or county in this state.”.

24 **690.** Page 1132, line 7: after that line insert:

1 “**SECTION 2481mm.** 85.195 of the statutes is created to read:

2 **85.195 Coordination with land conservation committees.** (1) In this
3 section, “land conservation committee” means a committee established under s.
4 92.06 or its designated representative.

5 (2) Before commencing construction on a highway construction project, the
6 department shall consult with the local land conservation committee to determine
7 all of the following:

8 (a) The presence and extent of local practices to conserve soil and water
9 resources within the county, including surface and subsurface drainage systems.

10 (b) The downstream impacts of the increased rate and volume, if any, of storm
11 water runoff resulting from a highway project. This determination shall include an
12 analysis of storm water runoff before and after construction of the highway.

13 (3) Before commencing construction on a highway construction project, the
14 department shall submit water drainage plans associated with the project to the
15 local land conservation committee for review. The department shall reimburse the
16 land conservation committee from the appropriation under s. 20.395 (3) (cq) for its
17 review under this section.

18 (4) Decisions concerning the management of storm water runoff related to the
19 construction of a highway shall be made jointly between the department and the
20 local land conservation committee.”.

21 **691.** Page 1132, line 8: delete lines 8 to 16.

22 **692.** Page 1133, line 18: delete lines 18 to 24.

23 **693.** Page 1134, line 1: delete lines 1 to 25.

24 **694.** Page 1135, line 1: delete lines 1 and 2 and substitute:

1 **“SECTION 2481pg.** 85.20 (4m) (a) 6. of the statutes is created to read:

2 85.20 (4m) (a) 6. a. From the appropriation under s. 20.395 (1) (hq), the uniform
3 percentage for each eligible applicant in an urban area served by an urban mass
4 transit system with annual operating expenses in excess of \$20,000,000.

5 b. For the purpose of making allocations under subd. 6. a., the amounts for aids
6 are \$57,202,200 in calendar year 1998 and \$58,918,300 in calendar year 1999 and
7 thereafter. These amounts, to the extent practicable, shall be used to determine the
8 uniform percentage in the particular calendar year.

9 **SECTION 2481pgb.** 85.20 (4m) (a) 7. of the statutes is created to read:

10 85.20 (4m) (a) 7. a. From the appropriation under s. 20.395 (1) (hr), the uniform
11 percentage for each eligible applicant served by an urban mass transit system
12 operating within an urbanized area having a population as shown in the 1990 federal
13 decennial census of at least 50,000 or receiving federal mass transit aid for such area,
14 and not specified in subd. 6.

15 b. For the purpose of making allocations under subd. 7. a., the amounts for aids
16 are \$16,695,600 in calendar year 1998 and \$17,196,500 in calendar year 1999 and
17 thereafter. These amounts, to the extent practicable, shall be used to determine the
18 uniform percentage in the particular calendar year.

19 **SECTION 2481pgd.** 85.20 (4m) (a) 8. of the statutes is created to read:

20 85.20 (4m) (a) 8. a. From the appropriation under s. 20.395 (1) (hs), the uniform
21 percentage for each eligible applicant served by an urban mass transit system
22 operating within an area having a population as shown in the 1990 federal decennial
23 census of less than 50,000 or receiving federal mass transit aid for such area.

24 b. For the purpose of making allocations under subd. 8. a., the amounts for aids
25 are \$4,509,400 in calendar year 1998 and \$4,644,700 in calendar year 1999 and

1 thereafter. These amounts, to the extent practicable, shall be used to determine the
2 uniform percentage in the particular calendar year.”.

3 **695.** Page 1135, line 6: delete “5. This subdivision” and substitute “5 8.”.

4 **696.** Page 1135, line 7: delete lines 7 to 24.

5 **697.** Page 1136, line 1: delete lines 1 and 2 and substitute:

6 “**SECTION 2481png.** 85.20 (4m) (em) 1. of the statutes, as affected by 1997
7 Wisconsin Act (this act), is amended to read:

8 85.20 (**4m**) (em) 1. An amount equal to the same percentage of the audited
9 operating expenses for the project year of the applicant’s urban mass transit system
10 that is specified for allocations to the applicant under par. (a) ~~1. 6.~~ to 8.”.

11 **698.** Page 1136, line 8: delete lines 8 to 11 and substitute “under s. 20.395 (1)
12 (dq), (dr), (ds), (dt) ~~or~~, (du), (hq), (hr) or (hs).”.

13 **699.** Page 1136, line 16: delete lines 16 to 21 and substitute “the payment of
14 the state aid allocation under sub. (4m) (a) for the last quarter of the state’s fiscal year
15 shall be provided from the following fiscal year’s appropriation under s. 20.395 (1)
16 ~~(dq), (dr), (ds), (dt), (du),~~ (hq), (hr) or (hs).”.

17 **700.** Page 1136, line 24: delete “5 and (ag) 1. to 3” and substitute “5 8.”.

18 **701.** Page 1137, line 8: delete “(a) ~~1. to 5~~ and (ag) 1. to 3” and substitute “(a)
19 ~~1. 6.~~ to 8”.

20 **702.** Page 1137, line 14: delete lines 14 to 20.

21 **703.** Page 1137, line 20: after that line insert:

22 “**SECTION 2482m.** 85.24 (3) (d) of the statutes is repealed.”.

23 **704.** Page 1144, line 2: after that line insert:

1 **“SECTION 2485p.** 85.55 of the statutes is created to read:

2 **85.55 Safe-ride grant program.** The department may award grants to any
3 county or municipality to cover the costs of transporting persons suspected of having
4 a prohibited alcohol concentration, as defined in s. 340.01 (46m), from any premises
5 licensed under ch. 125 to sell alcohol beverages to their places of residence. The
6 amount of a grant under this section may not exceed 50% of the costs necessary to
7 provide the service. Grants awarded under this section shall be paid from the
8 appropriation under s. 20.395 (5) (er).”

9 **705.** Page 1145, line 2: after that line insert:

10 **“SECTION 2486as.** 86.21 (2) (a) of the statutes is amended to read:

11 86.21 (2) (a) Before any such toll bridge is constructed or acquired under this
12 section, a resolution authorizing the construction or acquisition thereof, and
13 specifying the method of payment therefor, shall be adopted by a majority of the
14 members of the governing body of such county, town, village or city at a regular
15 meeting, after publication of said resolution, as a class 2 notice, under ch. 985. The
16 resolution shall include a general description of the property it is proposed to acquire
17 or construct. Any county, town, village or city constructing or acquiring a toll bridge
18 under this section may provide for the payment of the same or any part thereof from
19 the general fund, from taxation, or from the proceeds of either municipal bonds,
20 revenue bonds or as otherwise provided by law. Such resolution shall not be effective
21 until 15 days after its passage and publication. If within said 15 days a petition
22 conforming to the requirements of s. 8.40 is filed with the clerk of such municipality
23 signed by at least 20% of the electors thereof requesting that the question of
24 acquiring such toll bridge be submitted to the said electors, such question shall be

1 submitted at ~~any general or regular municipal~~ the next election authorized under s.
2 8.065 (2) or an election authorized under s. 8.065 (3) that may be ~~is~~ held not less
3 sooner than ~~10 nor more than 40~~ 45 days from the date of filing such petition. ~~In case~~
4 ~~no such general or regular municipal election is to be held within such stated period,~~
5 then the governing body of such municipality shall order a special election to be held
6 ~~within 30 days from the filing of such petition upon the question of whether such toll~~
7 ~~bridge shall be acquired by said municipality.~~ The question submitted to the electors
8 shall specify the method of payment for such toll bridge as provided in the resolution
9 for the acquisition thereof. If no such petition is filed, or if the majority of votes cast
10 at such referendum election are in favor of the acquisition of such toll bridge, then
11 the resolution of the governing body for the acquisition of such toll bridge shall be in
12 effect.”.

13 **706.** Page 1145, line 2: after that line insert:

14 “**SECTION 2486ar.** 86.195 (2) (ag) 16m. of the statutes is created to read:

15 86.195 (2) (ag) 16m. STH 172 from I 43 southeast of Green Bay to STH 54 west
16 of Ashwaubenon.”.

17 **707.** Page 1145, line 7: after that line insert:

18 “**SECTION 2486bm.** 86.30 (2) (a) 3. h. of the statutes is created to read:

19 86.30 (2) (a) 3. h. In calendar year 1999 and thereafter, \$1,516.”.

20 **708.** Page 1145, line 7: delete “and thereafter, \$1,604” and substitute “,
21 \$1,472”.

22 **709.** Page 1145, line 8: delete lines 8 to 15.

23 **710.** Page 1145, line 15: after that line insert:

24 “**SECTION 2486gg.** 86.30 (3) of the statutes is created to read:

1 86.30 (3) TRANSPORTATION AIDS DISTRIBUTION FOR 1998 AND 1999. Notwithstanding
2 sub. (2) and s. 86.302 (3), the amount of transportation aids payable under this
3 section by the department to each municipality and county for calendar year 1998
4 shall be the aids amount payable to the municipality or county for calendar year 1997
5 plus 2.8% of that amount and for calendar year 1999 shall be the aids amount
6 payable to the municipality or county for calendar year 1998 plus 3% of that
7 amount.”.

8 **711.** Page 1145, line 20: delete that line and substitute “year 1997,
9 \$72,622,200 in calendar year 1998 and \$74,800,900 in calendar year 1999 and
10 thereafter. These amounts,”.

11 **712.** Page 1145, line 25: delete “and” and substitute “.”.

12 **713.** Page 1146, line 1: after “1998” insert “and \$235,332,800 in calendar year
13 1999”.

14 **714.** Page 1146, line 1: delete “\$248,925,900” and substitute “\$228,478,400”.

15 **715.** Page 1146, line 3: after that line insert:

16 “**SECTION 2486gy.** 86.303 (6) (e) of the statutes is amended to read:

17 86.303 (6) (e) Cost data shall not include state or federal contributions to the
18 work, all other public agency fund contributions, and all private contributions ~~other~~
19 ~~than local assessments or special assessments paid by governmental agencies.~~”.

20 **716.** Page 1146, line 3: after that line insert:

21 “**SECTION 2486hc.** 86.31 (2) (a) of the statutes is amended to read:

22 86.31 (2) (a) The department shall administer a local roads improvement
23 program to accelerate the improvement of seriously deteriorating local roads by
24 reimbursing political subdivisions for improvements. The selection of improvements

1 that may be funded under the program shall be performed by officials of each political
2 subdivision, consistent with the requirements of subs. (3), (3g) and (3m). The
3 department shall notify each county highway commissioner of any deadline that
4 affects eligibility for reimbursement under the program no later than 15 days before
5 such deadline.

6 **SECTION 2486he.** 86.31 (3) (b) (intro.) of the statutes is amended to read:

7 86.31 (3) (b) (intro.) From the appropriation under s. 20.395 (2) (fr), after first
8 deducting the funds allocated under ~~sub.~~ subs. (3g) and (3m), the department shall
9 allocate funds for entitlement as follows:

10 **SECTION 2486hg.** 86.31 (3g) of the statutes is created to read:

11 86.31 (3g) COUNTY TRUNK HIGHWAY IMPROVEMENTS. From the appropriation
12 under s. 20.395 (2) (fr), the department shall allocate \$5,000,000 in each fiscal year
13 to fund county trunk highway improvements with eligible costs totaling more than
14 \$250,000. The funding of improvements under this subsection is in addition to the
15 allocation of funds for entitlements under sub. (3).

16 **SECTION 2486hj.** 86.31 (6) (d) of the statutes is amended to read:

17 86.31 (6) (d) Procedures for reimbursements for county trunk highway
18 improvements under sub. (3g) and for town road improvements under sub. (3m).”.

19 **717.** Page 1146, line 4: delete lines 4 to 24.

20 **718.** Page 1147, line 1: delete lines 1 to 4.

21 **719.** Page 1147, line 10: delete “\$336 per mile” and substitute “\$308 per mile
22 in 1998, and \$318 per mile in 1999 and thereafter.”.

23 **720.** Page 1148, line 1: delete lines 1 to 6 and substitute:

1 “86.32 (2) (am) 8. For 1998, \$10,761 per lane mile for municipalities having a
2 population over 500,000; \$9,967 per lane mile for municipalities having a population
3 of 150,001 to 500,000; \$8,883 per lane mile for municipalities having a population of
4 35,001 to 150,000; \$7,825 per lane mile for municipalities having a population of
5 10,000 to 35,000; and \$6,742 per lane mile for municipalities having a population
6 under 10,000.

7 **SECTION 2486Lr.** 86.32 (2) (am) 9. of the statutes is created to read:

8 86.32 (2) (am) 9. For 1999 and thereafter, \$11,084 per lane mile for
9 municipalities having a population over 500,000; \$10,266 per lane mile for
10 municipalities having a population of 150,001 to 500,000; \$9,149 per lane mile for
11 municipalities having a population of 35,001 to 150,000; \$8,060 per lane mile for
12 municipalities having a population of 10,000 to 35,000; and \$6,944 per lane mile for
13 municipalities having a population under 10,000.”.

14 **721.** Page 1148, line 7: delete lines 7 to 16.

15 **722.** Page 1149, line 23: after that line insert:

16 “**SECTION 2488im.** 92.07 (7m) of the statutes is created to read:

17 92.07 (7m) ASSISTANCE TO THE DEPARTMENT OF TRANSPORTATION. Each land
18 conservation committee shall cooperate with the department of transportation as
19 requested under s. 85.195.”.

20 **723.** Page 1153, line 10: after “(c)” insert “or (qd)”.

21 **724.** Page 1153, line 15: after that line insert:

22 “**SECTION 2490p.** 92.14 (3m) (intro.) of the statutes is amended to read:

23 92.14 (3m) SHORELAND MANAGEMENT GRANTS. (intro.) From the appropriation
24 under s. 20.115 (7) (c) or (qd), the department shall award grants to counties or

1 farmers for implementing best management practices required under a shoreland
2 management ordinance enacted under s. 92.17, including reimbursement for all of
3 the following:”.

4 **725.** Page 1153, line 16: delete lines 16 and 17 and substitute:

5 “SECTION 2490qb. 92.14 (4) (intro.) of the statutes is amended to read:

6 92.14 (4) (title) OTHER SOIL LAND AND WATER RESOURCE GRANTS. (intro.) From
7 the moneys remaining in appropriation’s under s. 20.115 (7) (c) after the department
8 has awarded all grants for a year under sub. (3) or from the appropriation under s.
9 20.115 (7) and (qd) the department may award grants to any eligible county,
10 including any county which has received a grant under sub. (3) or (3m), for one or
11 more of the following:”.

12 **726.** Page 1153, line 20: delete lines 20 and 21 and substitute “~~to manage~~
13 ~~animal waste and conserve soil approved in plans under s. 92.10 and under s. 92.15,~~
14 ~~1985 stats.”.~~

15 **727.** Page 1153, line 25: after that line insert:

16 “SECTION 2490t. 92.14 (4m) of the statutes is repealed and recreated to read:

17 92.14 (4m) GRANT PRIORITY. From the appropriation under s. 20.115 (7) (c) or
18 (qd), the department shall award grants under sub. (4) (c) before awarding any other
19 grants from those appropriations.”.

20 **728.** Page 1154, line 10: after the period insert “The department shall submit
21 the priority list to the board. The board shall review the priority list and make
22 recommendations regarding funding priorities to the department.”.

23 **729.** Page 1154, line 15: after “section” insert “that meet the funding
24 priorities established under par. (a)”.

1 **730.** Page 1155, line 9: after that line insert:

2 “**SECTION 2491h.** 92.14 (10) of the statutes is amended to read:

3 92.14 (10) TRAINING. The county may use a grant under this section for training
4 required under s. 92.18 or for any other training necessary to prepare personnel to
5 perform job duties related to this section. The department may contract with any
6 person ~~from the appropriation under s. 20.115 (7) (e)~~ for services to administer or
7 implement this chapter, including information and education and training.”

8 **731.** Page 1157, line 14: delete “(i) and (q)” and substitute “(c) and (i)”.

9 **732.** Page 1157, line 18: after that line insert:

10 “**SECTION 2501e.** 93.50 (1) (b) of the statutes is repealed.

11 **SECTION 2501f.** 93.50 (2) (title) and (a) to (b) of the statutes are amended to
12 read:

13 93.50 (2) (title) ~~BOARD, MEDIATORS~~ MEDIATORS AND ARBITRATORS. (a) *Selection of*
14 *mediators.* The ~~board~~ department shall select mediators who are residents of this
15 state, who have the character and ability to serve as mediators and who have
16 knowledge of financial or agricultural matters or of mediation processes. The ~~board~~
17 department shall ensure that each mediator receives sufficient training in mediation
18 processes, resolving conflicts, farm finance and management and the farm credit
19 system and practices to enable the mediator to perform his or her functions under
20 this section.

21 (am) *Selection of arbitrators.* The ~~board~~ department shall select arbitrators
22 who are residents of this state, who have the character and ability to serve as
23 arbitrators and who have knowledge of financial or agricultural matters or of
24 arbitration processes. The ~~board~~ department shall ensure that each arbitrator

1 receives sufficient training in arbitration processes, resolving conflicts, farm finance
2 and management and the farm credit system and practices to enable the arbitrator
3 to perform his or her functions under this section.

4 (b) *Compensation of mediators and arbitrators.* Mediators and arbitrators
5 shall be compensated for travel and other necessary expenses in amounts approved
6 by the ~~board~~ department.

7 **SECTION 2501g.** 93.50 (2) (d) to (f) of the statutes are amended to read:

8 93.50 (2) (d) *Forms and publicity.* The ~~board~~ department shall prepare all
9 forms necessary for the administration of this section and shall ensure that forms are
10 disseminated and that the availability of mediation and arbitration under this
11 section is publicized.

12 (e) *Exclusion from open records law.* All mediators and arbitrators shall keep
13 confidential all information and records obtained in conducting mediation and
14 arbitration. The ~~board~~ department shall keep confidential all information and
15 records that may serve to identify any party to mediation and arbitration under this
16 section. Any information required to be kept confidential under this paragraph may
17 be disclosed if the ~~board~~ department and the parties agree to disclosure.

18 (f) *Rule making.* The ~~board~~ department may promulgate rules necessary to
19 implement this section. The ~~board~~ department may promulgate rules defining
20 owners and creditors of agriculturally related businesses and permitting owners and
21 creditors of such businesses to participate in mediation and arbitration subject to the
22 same terms and conditions applicable to farmers and creditors under this section.
23 ~~The board may promulgate a rule under sub. (3) (am) 6. specifying a kind of dispute~~
24 ~~as eligible for mediation only with the approval of the department.~~

25 **SECTION 2501h.** 93.50 (3) (am) 6. of the statutes is amended to read:

1 93.50 (3) (am) 6. A kind of dispute specified as eligible for mediation by the
2 ~~board~~ department by rule.

3 **SECTION 2501i.** 93.50 (3) (b) of the statutes is amended to read:

4 93.50 (3) (b) *Request for mediation; agreement to mediate.* To participate in
5 mediation, the farmer or other party to a dispute described in par. (am) shall submit
6 a request for mediation to the ~~board~~ department on forms prepared by the ~~board~~
7 department. The ~~board~~ department may not proceed under this section until the
8 farmer and the other party have submitted an agreement to mediate.

9 **SECTION 2501j.** 93.50 (3) (e) of the statutes is amended to read:

10 93.50 (3) (e) *Selection of mediator.* If the ~~board~~ department has obtained the
11 agreement under par. (b), the farmer and the other party may request the ~~board~~
12 department to provide the names, mailing addresses and qualifications of up to 3
13 mediators located in the geographical area in which the agricultural property or
14 farmer is located. The parties shall select a mediator or, upon request of the parties,
15 the ~~board~~ department shall designate a mediator for the parties.

16 **SECTION 2501k.** 93.50 (4) (b) of the statutes is amended to read:

17 93.50 (4) (b) *Request for arbitration; agreement to arbitrate.* To participate in
18 arbitration, the farmer and other party under par. (a) shall submit a request for
19 arbitration to the ~~board~~ department on a form prepared by the ~~board~~ department.
20 After receipt of the request, if the parties wish to proceed to arbitration under this
21 subsection, the ~~board~~ department shall require the parties to enter into an
22 agreement to binding arbitration on a form prepared by the ~~board~~ department.

23 **SECTION 2501L.** 93.50 (4) (e) of the statutes is amended to read:

24 93.50 (4) (e) *Selection of arbitrator.* After the ~~board~~ department has obtained
25 the agreement under par. (b), the farmer and the other party may request the ~~board~~

1 department to provide the names, mailing addresses and qualifications of up to 3
2 arbitrators located in the geographical area in which the agricultural property or
3 farmer is located. The parties shall select an arbitrator or, upon request of the
4 parties, the ~~board~~ department shall designate an arbitrator for the parties.”.

5 **733.** Page 1168, line 11: delete “, coal tar creosote or inorganic arsenical wood”
6 and substitute “or coal tar creosote”.

7 **734.** Page 1168, line 12: delete “preservatives”.

8 **735.** Page 1171, line 20: after that line insert:

9 “**SECTION 2521m.** 94.69 (10) of the statutes is amended to read:

10 94.69 (10) The department shall promulgate rules when it determines that it
11 is necessary for the protection of persons or property from serious pesticide hazards
12 and that its enforcement is feasible and will substantially eliminate or reduce such
13 hazards. In making this determination the department shall consider the toxicity,
14 hazard, effectiveness and public need for the pesticides, and the availability of less
15 toxic or less hazardous pesticides or other means of pest control. ~~It shall obtain the~~
16 ~~recommendations of the pesticide review board and such rules, other than rules to~~
17 ~~protect groundwater adopted to comply with ch. 160, are not effective until approved~~
18 ~~by the pesticide review board. Such These rules shall do not affect the application~~
19 ~~of any other statutes or rule adopted thereunder rules promulgated under those~~
20 ~~statutes.”.~~

21 **736.** Page 1173, line 11: after that line insert:

22 “**SECTION 2528g.** 94.705 (2) of the statutes is amended to read:

23 94.705 (2) CERTIFICATION STANDARDS. ~~Notwithstanding s. 250.09, the The~~
24 ~~department shall, by rule, adopt standards for the training and certification of~~

1 private and commercial applicators, at least equal to but not to exceed federal
2 standards adopted under the federal act. In the adoption of the standards, separate
3 categories of pesticide use and application may be established for certification
4 purposes depending on the specific types of pesticides used, the purposes for which
5 they are used, types of equipment required in their application, the degree of
6 knowledge and skill required and other factors which may warrant the creation of
7 different categories. The standards shall provide that individuals to be certified must
8 be competent with respect to the use and application of pesticides in the various
9 categories of pesticide use and application for which certification is desired. For
10 commercial applicators, competence in the use and handling of pesticides shall be
11 determined on the basis of written examinations.

12 **SECTION 2528r.** 94.708 (4) of the statutes is amended to read:

13 94.708 (4) EXCEPTION. The department shall promulgate rules establishing
14 standards for the sale, advertisement and use of pesticides for emergency bat control.
15 The ~~pesticide review board~~ department may issue a permit authorizing the use of a
16 pesticide in accordance with the rules ~~promulgated by the department~~ that it
17 promulgates only in the case of an individual bat colony after a determination that
18 there exists an outbreak of rabies that threatens public health or another situation
19 where the existence of a colony of bats threatens the health or welfare of any person.
20 The ~~pesticide review board~~ department may not base its determination on an
21 isolated individual instance of a rabid bat.”.

22 **737.** Page 1174, line 7: after that line insert:

23 “**SECTION 2530r.** 94.73 (1) (d) of the statutes is repealed.”.

1 **738.** Page 1176, line 3: delete the material beginning with that line and
2 ending with page 1177, line 11, and substitute:

3 “**SECTION 2537b.** 94.73 (6) (b) of the statutes is repealed and recreated to read:

4 94.73 (6) (b) Except as provided in pars. (c) and (e), the department shall
5 reimburse a responsible person an amount equal to 80% of the corrective action costs
6 incurred for each discharge site that are greater than \$3,000 and less than \$400,000.

7 **SECTION 2537d.** 94.73 (6) (c) of the statutes is repealed and recreated to read:

8 94.73 (6) (c) Except as provided in par. (e), the department shall reimburse a
9 responsible person an amount equal to 80% of the corrective action costs incurred for
10 each discharge site that are greater than \$7,500 and less than \$400,000 if any of the
11 following applies:

12 1. The responsible person is required to be licensed under ss. 94.67 to 94.71.

13 2. The responsible person employs more than 25 persons.

14 3. The responsible person has gross annual sales of more than \$2,500,000.

15 **SECTION 2538c.** 94.73 (6) (d) of the statutes is repealed and recreated to read:

16 94.73 (6) (d) For the purposes for pars. (b) and (c), a discharge that occurs in
17 the course of transporting an agricultural chemical is considered to have occurred at
18 the site from which the agricultural chemical was being transported if the site from
19 which the agricultural chemical was being transported is under the ownership or
20 control of the person transporting the agricultural chemical.

21 **SECTION 2539c.** 94.73 (6) (e) of the statutes is repealed and recreated to read:

22 94.73 (6) (e) The department may not reimburse corrective action costs that
23 exceed \$100,000 for any one discharge for which groundwater remediation is not
24 ordered unless the criteria in rules promulgated under par. (f) are satisfied.”.

1 **739.** Page 1177, line 12: substitute “(f)” for “(g)”.

2 **740.** Page 1177, line 13: substitute “(f)” for “(g)”.

3 **741.** Page 1178, line 16: after that line insert:

4 “**SECTION 2541m.** 94.73 (10) of the statutes is repealed.”.

5 **742.** Page 1179, line 15: after that line insert:

6 “**SECTION 2543j.** 95.175 of the statutes is repealed.”.

7 **743.** Page 1189, line 5: after that line insert:

8 “**SECTION 2580m.** 101.14 (2) (cm) of the statutes is amended to read:

9 101.14 **(2)** (cm) In addition to the requirements of pars. (b) and (c), a fire
10 department shall provide public fire education services, ~~in consultation with the~~
11 ~~department and the fire prevention council.~~”.

12 **744.** Page 1189, line 23: delete “(ae), and (am) ~~and (as)~~” and substitute “(ae),
13 (ah), (am) and ~~(as)~~ (ap)”.

14 **745.** Page 1190, line 4: delete lines 4 to 13.

15 **746.** Page 1190, line 15: delete “(ae), and (am)” and substitute “(ae), (ah),
16 (am)”.

17 **747.** Page 1190, line 16: delete “~~and (as)~~” and substitute “and ~~(as)~~ (ap)”.

18 **748.** Page 1190, line 22: delete the material beginning with that line and
19 ending with page 1191, line 5.

20 **749.** Page 1191, line 6: delete the material beginning with that line and
21 ending with page 1192, line 4, and substitute:

22 “**SECTION 2588b.** 101.143 (3) (ae) 1. of the statutes is renumbered 101.143 (3)
23 (ae) and amended to read:

1 101.143 (3) (ae) An owner or operator or a person owning a home oil tank
2 system is not eligible for an award under this section for costs incurred because of
3 a petroleum product discharge from a an underground petroleum product storage
4 tank system or a home oil tank system that meets the performance standards in 40
5 CFR 280.20 or in rules promulgated by the department relating to underground
6 petroleum product storage tank systems installed after December 22, 1988, except
7 as provided in subd. 2 if the discharge is confirmed after December 31, 1995.

8 **SECTION 2588d.** 101.143 (3) (ae) 2. of the statutes is repealed.”.

9 **750.** Page 1192, line 6: delete “1. An” and substitute “An”.

10 **751.** Page 1192, line 12: delete the material beginning with “except” and
11 ending with “2” on line 13 and substitute” if the discharge is confirmed after
12 December 22, 2001”.

13 **752.** Page 1192, line 14: delete the material beginning with that line and
14 ending with page 1193, line 2.

15 **753.** Page 1193, line 3: delete “of the statutes is” and substitute “(title), 1. and
16 2. of the statutes are”.

17 **754.** Page 1193, line 7: after “if” insert “the discharge is confirmed after
18 December 31, 1995, and”.

19 **755.** Page 1193, line 13: delete that line and substitute “in subs. subd. 2. to
20 4.”.

21 **756.** Page 1194, line 4: delete lines 4 to 24 and substitute:

22 **SECTION 2590e.** 101.143 (3) (am) 3. of the statutes is repealed.

23 **SECTION 2590g.** 101.143 (3) (am) 4. of the statutes is repealed.”.

1 **757.** Page 1195, line 1: delete “1. An” and substitute “An”.

2 **758.** Page 1195, line 4: after “if” insert “the discharge is confirmed after
3 December 22, 2001, and”.

4 **759.** Page 1195, line 9: delete “, except as provided in subd. 2”.

5 **760.** Page 1195, line 10: delete lines 10 to 23.

6 **761.** Page 1201, line 18: after that line insert:

7 “**SECTION 2611m.** 101.575 (3) (a) 3. of the statutes is amended to read:

8 101.575 (3) (a) 3. Provides a training program prescribed by the department
9 by rule, ~~in consultation with the fire prevention council.~~”.

10 **762.** Page 1207, line 17: delete lines 17 to 25.

11 **763.** Page 1208, line 1: delete lines 1 to 3.

12 **764.** Page 1208, line 3: after that line insert:

13 “**SECTION 2640t.** 103.905 (3) of the statutes is amended to read:

14 103.905 (3) Gather, ~~compile and submit to the council on migrant labor~~ and
15 compile data and information relative to ss. 103.90 to 103.97.

16 **SECTION 2648r.** 103.967 of the statutes is repealed.

17 **SECTION 2648t.** 103.968 of the statutes is repealed.”.

18 **765.** Page 1208, line 3: after that line insert:

19 “**SECTION 2639t.** 103.69 of the statutes is repealed.”.

20 **766.** Page 1208, line 13: after that line insert:

21 “**SECTION 2664k.** 106.05 of the statutes is repealed.

22 **SECTION 2664p.** 106.06 (3) of the statutes is amended to read:

1 106.06 (3) All gifts, grants, bequests and devises to the division for its use for
2 ~~any of the purposes mentioned in s. 106.05~~ are valid and shall be used to carry out
3 the purposes for which made and received.”.

4 **767.** Page 1210, line 25: delete that line and substitute “\$600,000 in fiscal
5 year 1997-98 and \$300,000 in fiscal year 1998-99 for the payment of those grants.”.

6 **768.** Page 1211, line 10: after that line insert:

7 “**SECTION 2681m.** 106.215 (10) (c) of the statutes is amended to read:

8 106.215 (10) (c) *Wages.* Corps members shall be paid at the prevailing federal
9 minimum wage or the applicable state minimum wage established under ch. 104,
10 whichever is greater. Assistant crew leaders, crew leaders and regional crew leaders
11 may be paid more than the prevailing federal minimum wage or applicable state
12 minimum wage ~~but may not be paid more than twice the hourly wage of a corps~~
13 ~~member. The board may waive the wage limitation of a regional crew leader.~~ Corps
14 enrollees shall receive their pay for the previous pay period on the last working day
15 of the current pay period.

16 **SECTION 2681r.** 106.215 (10) (cm) of the statutes is repealed.”.

17 **769.** Page 1213, line 20: delete lines 20 to 25.

18 **770.** Page 1214, line 1: delete lines 1 to 16.

19 **771.** Page 1215, line 23: after that line insert:

20 “**SECTION 2691mm.** 110.99 of the statutes is repealed.”.

21 **SECTION 2692tm.** 111.70 (4) (n) of the statutes, as created by 1995 Wisconsin
22 Act 289, is repealed.

23 **SECTION 2692tp.** 111.91 (2) (k) of the statutes, as created by 1995 Wisconsin
24 Act 289, is amended to read:

1 111.91 (2) (k) Compliance with the health benefit plan requirements under ss.
2 ~~632.745 (1) to (3) and (5) and 632.746 (1) to (8) and (10), 632.747 and 632.748.~~”.

3 **772.** Page 1215, line 23: after that line insert:

4 “**SECTION 2692tc.** 111.70 (1) (a) of the statutes, as affected by 1995 Wisconsin
5 Act 289, is amended to read:

6 111.70 (1) (a) “Collective bargaining” means the performance of the mutual
7 obligation of a municipal employer, through its officers and agents, and the
8 representative of its municipal employes in a collective bargaining unit, to meet and
9 confer at reasonable times, in good faith, with the intention of reaching an
10 agreement, or to resolve questions arising under such an agreement, with respect to
11 wages, hours and conditions of employment, and with respect to a requirement of the
12 municipal employer for a municipal employe to perform law enforcement and fire
13 fighting services under s. 61.66, except as provided in sub. (4) (m) ~~and (n)~~ to (o) and
14 s. 40.81 (3) and except that a municipal employer shall not meet and confer with
15 respect to any proposal to diminish or abridge the rights guaranteed to municipal
16 employes under ch. 164. The duty to bargain, however, does not compel either party
17 to agree to a proposal or require the making of a concession. Collective bargaining
18 includes the reduction of any agreement reached to a written and signed document.
19 The municipal employer shall not be required to bargain on subjects reserved to
20 management and direction of the governmental unit except insofar as the manner
21 of exercise of such functions affects the wages, hours and conditions of employment
22 of the municipal employes in a collective bargaining unit. In creating this subchapter
23 the legislature recognizes that the municipal employer must exercise its powers and
24 responsibilities to act for the government and good order of the jurisdiction which it

1 serves, its commercial benefit and the health, safety and welfare of the public to
2 assure orderly operations and functions within its jurisdiction, subject to those
3 rights secured to municipal employes by the constitutions of this state and of the
4 United States and by this subchapter.

5 **SECTION 2692tn.** 111.70 (4) (o) of the statutes is created to read:

6 111.70 (4) (o) *Permissive subjects of collective bargaining.* In a school district,
7 the municipal employer is not required to bargain collectively with respect to the
8 establishment of the school calendar. This paragraph shall not be construed to
9 eliminate a school district's duty to bargain collectively with the recognized or
10 certified representative of school district employes in a collective bargaining unit
11 concerning the total number of days of work and the number of those days which are
12 allocated to different purposes such as days on which school is taught, in-service
13 days, staff preparation days, convention days, paid holidays and parent-teacher
14 conference days, and to bargain collectively with that representative with regard to
15 the impact of the school calendar on wages, hours and conditions of employment.”.

16 **773.** Page 1215, line 23: after that line insert:

17 “**SECTION 2692td.** 111.70 (4) (jm) 5. of the statutes is repealed and recreated
18 to read:

19 111.70 (4) (jm) 5. In determining the proper compensation to be received by
20 members of the police department under subd. 4., the arbitrator shall consider the
21 following factors, with the greatest weight given to the factor specified under subd.
22 5. a., the next greatest weight given to the factor specified under subd. 5. b., the next
23 greatest weight given to the factor specified under subd. 5. c., the next greatest

1 weight given to the factor specified under subd. 5. d. and the least weight given to
2 the factor specified under subd. 5. e.:

3 a. Comparison of all of the items of compensation specified in subd. 4. of the
4 municipal employes in the collective bargaining unit with such items of
5 compensation of other municipal law enforcement officers in the metropolitan area
6 in which the 1st class city is located.

7 b. Comparison of the respective crime rates, and workloads of and risks of
8 injury to law enforcement officers, in the 1st class city and any other jurisdiction with
9 which comparisons are made under subd. 5. a.

10 c. The increase in the average consumer prices for goods and services,
11 commonly known as the cost of living, during the term of the predecessor collective
12 bargaining agreement.

13 d. Comparison of all of the items of compensation specified in subd. 4. of the
14 municipal employes in the collective bargaining unit with such items of
15 compensation of other municipal law enforcement officers in comparable
16 communities in this state.

17 e. Comparison of all of the items of compensation specified in subd. 4. of the
18 municipal employes in the collective bargaining unit with such items of
19 compensation of other protective service municipal employes in the 1st class city.”.

20 **774.** Page 1215, line 23: after that line insert:

21 “**SECTION 2691t.** 111.31 (1) of the statutes is amended to read:

22 111.31 (1) The legislature finds that the practice of unfair discrimination in
23 employment, licensing and labor organization membership against properly
24 qualified individuals by reason of their age, race, creed, color, handicap, marital

1 status, sex, national origin, ancestry, sexual orientation, arrest record, conviction
2 record, membership in the national guard, state defense force or any other reserve
3 component of the military forces of the United States or this state or use or nonuse
4 of lawful products off the employer's premises during nonworking hours, that the
5 practice of unfair discrimination in employment against properly qualified
6 individuals by reason of their nonfelony conviction record and that the practice of
7 unfair discrimination in licensing and labor organization membership against
8 properly qualified individuals by reason of their felony or nonfelony conviction record
9 substantially and adversely affects the general welfare of the state. Employers,
10 labor organizations, employment agencies and licensing agencies that deny
11 employment, licensing and labor organization membership opportunities and
12 discriminate in employment, licensing and labor organization membership against
13 properly qualified individuals solely because of their age, race, creed, color, handicap,
14 marital status, sex, national origin, ancestry, sexual orientation, arrest record,
15 conviction record, membership in the national guard, state defense force or any other
16 reserve component of the military forces of the United States or this state or use or
17 nonuse of lawful products off the employer's premises during nonworking hours,
18 employers and employment agencies that deny employment opportunities and
19 discriminate in employment against properly qualified individuals solely because of
20 their nonfelony conviction record and licensing agencies and labor organizations
21 that deny licensing and labor organization membership to properly qualified
22 individuals solely because of their felony or nonfelony conviction record deprive those
23 individuals of the earnings that are necessary to maintain a just and decent standard
24 of living.

25 **SECTION 2691v.** 111.31 (2) of the statutes is amended to read:

1 111.31 (2) It is the intent of the legislature to protect by law the rights of all
2 individuals to obtain gainful employment, licensing and labor organization
3 membership and to enjoy privileges free from employment discrimination in
4 employment, licensing and labor organization membership because of age, race,
5 creed, color, handicap, marital status, sex, national origin, ancestry, sexual
6 orientation, arrest record, ~~conviction record~~, membership in the national guard,
7 state defense force or any other reserve component of the military forces of the United
8 States or this state or use or nonuse of lawful products off the employer's premises
9 during nonworking hours, to protect by law the rights of all individuals to obtain
10 employment and to enjoy privileges free from discrimination in employment because
11 of nonfelony conviction record, to protect by law the rights of all individuals to obtain
12 licensing and labor organization membership and to enjoy privileges free from
13 discrimination in licensing and labor organization membership because of felony or
14 nonfelony conviction record, and to encourage the full, nondiscriminatory utilization
15 of the productive resources of the state to the benefit of the state, the family and all
16 the people of the state. It is the intent of the legislature in promulgating this
17 subchapter to encourage employers to evaluate an employe or applicant for
18 employment, other than an employe or applicant who has a felony conviction record,
19 based upon the employe's or applicant's individual qualifications rather than upon
20 a particular class to which the individual may belong.

21 **SECTION 2691x.** 111.31 (3) of the statutes is amended to read:

22 111.31 (3) In the interpretation and application of this subchapter, and
23 otherwise, it is declared to be the public policy of the state to encourage and foster
24 to the fullest extent practicable the employment, licensing and labor organization
25 membership of all properly qualified individuals regardless of age, race, creed, color,

1 handicap, marital status, sex, national origin, ancestry, sexual orientation, arrest
2 record, ~~conviction record~~, membership in the national guard, state defense force or
3 any other reserve component of the military forces of the United States or this state
4 or use or nonuse of lawful products off the employer's premises during nonworking
5 hours, to encourage and foster to the fullest extent practicable the employment of all
6 properly qualified individuals regardless of nonfelony conviction record and to
7 encourage and foster to the fullest extent practicable the licensing and labor
8 organization membership of all properly qualified individuals regardless of felony or
9 nonfelony conviction record. Nothing in this subsection requires an affirmative
10 action program to correct an imbalance in the work force. This subchapter shall be
11 liberally construed for the accomplishment of this purpose.

12 **SECTION 2692d.** 111.32 (3) of the statutes is amended to read:

13 111.32 (3) "Conviction record" includes, but is not limited to, information
14 indicating that an individual has been convicted of any felony, misdemeanor or other
15 offense, has been adjudicated delinquent, has been less than honorably discharged,
16 or has been placed on probation, fined, imprisoned or paroled pursuant to any law
17 enforcement or military authority, and has not been pardoned.

18 **SECTION 2692g.** 111.335 (1) (c) of the statutes is renumbered 111.335 (2) (c) and
19 amended to read:

20 111.335 (2) (c) Notwithstanding s. 111.322, it is not employment discrimination
21 because of conviction record to refuse to ~~employ or license~~, or to bar or terminate from
22 ~~employment or licensing~~, any individual who:

23 1. Has been convicted of any felony, misdemeanor or other offense the
24 circumstances of which substantially relate to the circumstances of the particular job

1 ~~or licensed activity and has not been pardoned for that felony, misdemeanor or other~~
2 ~~offense; or~~

3 2. Is not bondable under a standard fidelity bond or an equivalent bond where
4 such bondability is required by state or federal law, or administrative regulation ~~or~~
5 ~~established business practice of the employer.~~

6 **SECTION 2692i.** 111.335 (1) (cg) 1. and 2. of the statutes, as created by 1995
7 Wisconsin Act 461, are renumbered 111.335 (2) (cg) 1. and 2.

8 **SECTION 2692k.** 111.335 (1) (cg) 3. of the statutes, as created by 1995 Wisconsin
9 Act 461, is repealed.

10 **SECTION 2692m.** 111.335 (1) (cm) of the statutes is repealed.

11 **SECTION 2692q.** 111.335 (1) (cs) (intro.) of the statutes is renumbered 111.335
12 (2) (cs) (intro.) and amended to read:

13 111.335 (2) (cs) (intro.) Notwithstanding s. 111.322, it is not employment
14 discrimination because of conviction record to revoke, suspend or refuse to renew a
15 license or permit under ch. 125 if the person holding or applying for the license or
16 permit has been convicted of one or more of the following and has not been pardoned
17 for the offense:

18 **SECTION 2692r.** 111.335 (1) (d) of the statutes is renumbered 111.32 (7g) and
19 amended to read:

20 111.32 (7g) ~~In this subsection, “equivalent~~ “Equivalent bond” includes, but is
21 not limited to, a bond issued for an ex-offender under 29 USC 871 (c) in effect on
22 August 4, 1981.

23 **SECTION 2692t.** 111.335 (2) (a) of the statutes is created to read:

24 111.335 (2) (a) Notwithstanding s. 111.322, it is not employment discrimination
25 because of conviction record to refuse to employ a person if that person has been

1 convicted of a felony and has not been pardoned for that felony, or to refuse to employ
2 a person if that person has been convicted of a misdemeanor or other offense, the
3 circumstances of which substantially relate to the circumstances of the particular job
4 and has not been pardoned for that misdemeanor or other offense.”.

5 **775.** Page 1215, line 23: after that line insert:

6 “**SECTION 2692tf.** 111.70 (4) (m) 4. of the statutes is repealed and recreated to
7 read:

8 111.70 (4) (m) 4. Any decision of a school board to contract with a school or
9 agency to provide educational programs under s. 118.47, or the impact of any such
10 decision on the wages, hours or conditions of employment of the municipal employes
11 who perform services for the school board.”.

12 **776.** Page 1215, line 23: after that line insert:

13 “**SECTION 2691f.** 110.10 of the statutes is created to read:

14 **110.10 Ignition interlock device program. (1)** In this section:

15 (a) “Restricted operator” means a person whose operating privilege is restricted
16 to operating only motor vehicles equipped with an ignition interlock device.

17 (b) “Service provider” means a person who has contracted with the department
18 to provide services under this section.

19 **(2)** The department shall do all of the following:

20 (a) Develop and administer an ignition interlock device program that assists
21 a person in complying with a court order restricting the person’s operating privilege
22 to operating only motor vehicles equipped with an ignition interlock device.

1 (b) Contract with a person to provide services required under sub. (3). The
2 department shall contract only with a person who has at least 2 years' full-time field
3 experience providing and servicing ignition interlock devices.

4 (c) Amend its vehicle registration records to reflect the installation or removal
5 of an ignition interlock device upon receiving notice under sub. (3) (g).

6 (d) Promulgate rules to implement this section.

7 **(3)** A contract under sub. (2) (b) shall require the service provider to do all of
8 the following:

9 (a) Use only ignition interlock devices approved by the department and
10 manufactured by a manufacturer that has 500 or more devices in service in the
11 United States or Canada.

12 (am) Create and implement a service delivery plan under which any restricted
13 operator may obtain routine service of an installed ignition interlock device within
14 a 60-mile radius of his or her place of residence. The service delivery plan shall make
15 installation of an ignition interlock device available to any restricted operator within
16 a 150-mile radius of his or her place of residence.

17 (b) Service at least once every 2 months each ignition interlock device installed
18 by the service provider.

19 (c) Provide a 24-hour toll-free telephone number for information and services
20 related to the contract.

21 (d) Return any telephone call requesting service of an ignition interlock device
22 installed by the service provider within 45 minutes after receiving the call and repair
23 or replace any defective ignition interlock device within 48 hours after receiving a
24 call requesting service of the device.

1 (e) Install devices within 15 days after receiving a request to install an ignition
2 interlock device.

3 (g) Provide the department, within 2 business days after installing or removing
4 an ignition interlock device, with notice of the installation or removal.

5 (h) Provide the department, within 2 business days after inspecting an
6 installed ignition interlock device, with notice of evidence of any tampering with,
7 circumventing, or bypassing an ignition interlock device or of resetting violations
8 recorded by the device.

9 (i) Provide the department with monthly reports summarizing electronic data
10 from the ignition interlock devices in a format that is agreed upon by the department
11 and the service provider.

12 (im) Provide the department with all of the software that is reasonably
13 required by the department to access and interpret the data collected by an ignition
14 interlock device or submitted under pars. (h) and (i) and with any technical support
15 that is necessary to use the software.

16 (j) Provide the department in a timely manner with any other information
17 reasonably requested by the department.

18 (k) Cooperate with any study by the department or the legislature of the
19 ignition interlock device program.

20 (L) Provide all required services and products at no cost to the state.

21 (m) Provide the owner of the vehicle with a program of instruction on the proper
22 use of the ignition interlock device.

23 (n) Refuse to install an ignition interlock device unless the person has
24 completed the program of instruction under par. (m).

25 (4) No service provider may do any of the following:

1 (a) Contract with any person to have that person provide any services that are
2 required to be performed by the service provider under sub. (3).

3 (b) Allow any business to be conducted from its service centers other than
4 business directly related to providing service required under this section.

5 (5) A service provider may charge a restricted operator a periodic fee for
6 services provided under this section. The amount of the fee shall be uniform
7 statewide. No service provider may increase the fee charged to any person while that
8 person is a restricted operator.”.

9 **777.** Page 1215, line 23: after that line insert:

10 “SECTION 2691g. 110.20 (1) (ar) of the statutes is created to read:

11 110.20 (1) (ar) “Fleet vehicle” means a common motor carrier, as defined in s.
12 194.01 (1), contract motor carrier, as defined in s. 194.01 (2), or private motor carrier,
13 as defined in s. 194.01 (11), registered in the name of a person whose name 3 or more
14 such vehicles are registered.

15 SECTION 2691m. 110.20 (9) (k) of the statutes is created to read:

16 110.20 (9) (k) Prescribe a procedure for the testing of stationary fleet vehicles,
17 using equipment brought to the fleet vehicles for testing purposes, to determine the
18 vehicles’ compliance with the emissions limitations promulgated under s. 285.30.”.

19 **778.** Page 1215, line 24: delete the material beginning with that line and
20 ending with page 1216, line 2.

21 **779.** Page 1216, line 11: after that line insert:

22 “SECTION 2693r. 111.91 (2) (o) of the statutes is created to read:

23 111.91 (2) (o) The decision of the employer to contract for the services of
24 personnel required for the initial management and operation of a medium security

1 correctional facility under 1997 Wisconsin Act (this act), section 9107 (1) (b), or
2 the impact of that decision upon employes with respect to a subject of collective
3 bargaining under sub. (1) (a).”.

4 **780.** Page 1216, line 11: delete “and (12)” and substitute “to (13)”.

5 **781.** Page 1216, line 20: after “board” insert “or the board of control of
6 cooperative educational service agency no. 6”.

7 **782.** Page 1219, line 18: after that line insert:

8 “**SECTION 2701p.** 115.28 (17) of the statutes is amended to read:

9 115.28 (17) AMERICAN INDIAN LANGUAGE AND CULTURE EDUCATION. (a) Establish
10 by rule, ~~in coordination with the American Indian language and culture education~~
11 ~~board,~~ standards for certifying the abilities of teachers participating in American
12 Indian language and culture education programs under subch. IV to read and write
13 or speak an American Indian language and to possess knowledge of American Indian
14 history and culture.

15 (b) Establish by rule, ~~in coordination with the American Indian language and~~
16 ~~culture education board,~~ standards for certifying the abilities of home school
17 coordinators, counselors and aides participating in American Indian language and
18 culture education programs under subch. IV to possess knowledge of American
19 Indian history and culture.

20 (c) Promulgate rules, ~~in coordination with the American Indian language and~~
21 ~~culture education board,~~ which further define “American Indian” under s. 115.71 (2)

22 (d).

1 (d) ~~In coordination with the American Indian language and culture education~~
2 ~~board, develop~~ Develop a curriculum for grades 4 to 12 on the Chippewa Indians’
3 treaty-based, off-reservation rights to hunt, fish and gather.”.

4 **783.** Page 1221, line 16: delete “(ef)” and substitute “(eg)”.

5 **784.** Page 1237, line 2: after that line insert:

6 **“SECTION 2745p.** 115.38 (1) (d) of the statutes is created to read:

7 115.38 (1) (d) The number and percentage of resident pupils attending a course
8 in a nonresident school district under s. 118.52, the number of nonresident pupils
9 attending a course in the school district under s. 118.52, and the courses taken by
10 those pupils.”.

11 **785.** Page 1237, line 2: after that line insert:

12 **“SECTION 2745pm.** 115.38 (1) (e) of the statutes is created to read:

13 115.38 (1) (e) The method of reading instruction used in the school district and
14 the textbook series used to teach reading in the school district.”.

15 **786.** Page 1246, line 1: delete lines 1 to 3 and substitute:

16 “115.71 (2) (d) Determined to be an Indian under rules promulgated by the
17 ~~department in coordination with the board~~ state superintendent under s. 115.28 (17)
18 (c).

19 **SECTION 2753u.** 115.71 (3) of the statutes is repealed.

20 **SECTION 2753v.** 115.74 (1) (intro.) of the statutes is amended to read:

21 115.74 (1) (intro.) On or before July 1 in every even-numbered year, the
22 ~~department, in coordination with the board,~~ state superintendent shall:

23 **SECTION 1753w.** 115.74 (2) (intro.) of the statutes is amended to read:

1 115.74 (2) (intro.) Annually, on or before July 1, the ~~department, in~~
2 ~~coordination with the board,~~ state superintendent shall evaluate all available
3 resources and programs which are or could be directed toward meeting the
4 educational needs of American Indian pupils. The evaluation shall include
5 information on:

6 **SECTION 2753x.** 115.74 (4) of the statutes is amended to read:

7 115.74 (4) The ~~department, in coordination with the board,~~ state
8 superintendent shall prepare a biennial report which shall be included as an
9 addendum to the department's biennial report under s. 15.04 (1) (d). The report shall
10 include the results of the most recent assessment of needs and evaluation of
11 programs under sub. (1), the evaluation of resources under sub. (2) and
12 recommendations for legislation in the area of American Indian language and
13 culture education.”.

14 **787.** Page 1248, line 10: after that line insert:

15 **“SECTION 2758d.** 115.80 (1) (a) of the statutes is amended to read:

16 115.80 (1) (a) A parent or a physician, nurse, teacher at a state or county
17 residential facility, psychologist, social worker or administrator of a social agency
18 who has reasonable cause to believe that a child brought to him or her for services
19 has exceptional educational needs shall report the name of the child and any other
20 information required to the school board for the school district or governing body of
21 a state or county residential facility in which the child resides or to the division,
22 except as provided in par. (b). If the child is attending a public school in a nonresident
23 school district under s. 118.51, the school board shall provide the name of the child

1 and related information to the school board of the school district that the child is
2 attending.

3 **SECTION 2758g.** 115.80 (1) (b) of the statutes is amended to read:

4 115.80 (1) (b) A person who is required to be certified or licensed under s. 115.28
5 (7), who is employed by the school district in which a child attends public school and
6 who has reasonable cause to believe a child has exceptional educational needs shall
7 report such child and any other information required to the school board of that
8 school district. If the child is a nonresident who is attending public school in the
9 school district under s. 118.51, the school board shall provide the name of the child
10 and related information to the school board of the child's school district of residence.

11 **SECTION 2758k.** 115.80 (2) of the statutes is amended to read:

12 115.80 (2) SCHOOL DISTRICT SCREENING. Each school board is responsible for
13 screening each child who resides in the school district and has not graduated from
14 high school to determine if there is reasonable cause to believe that the child is a child
15 with exceptional educational needs. If the child is attending a public school in a
16 nonresident school district under s. 118.51 and the school board determines that
17 there is reasonable cause to believe that the child is a child with exceptional
18 educational needs, the school board shall provide the name of the child and related
19 information to the school board of the school district that the child is attending.”.

20 **788.** Page 1248, line 12: delete “The” and substitute “The Except as provided
21 in par. (am), the”.

22 **789.** Page 1249, line 3: after that line insert:

23 **“SECTION 2760b.** 115.80 (3) (am) of the statutes is created to read:

1 115.80 (3) (am) If a child is attending a public school in a nonresident school
2 district under s. 118.51, the school board of the school district that the child is
3 attending shall appoint the multidisciplinary team under par. (a).

4 **SECTION 2760e.** 115.80 (3) (b) of the statutes is amended to read:

5 115.80 (3) (b) Except as provided under s. 115.81 (4) (1m) (b), the
6 multidisciplinary team appointed under par. (a) or (am) shall, upon written parental
7 consent, evaluate each child reported to the school board under sub. (1) who resides
8 in the school district and has not graduated from high school and each child
9 identified under sub. (2). If the multidisciplinary team is appointed under par. (am),
10 as part of its evaluation of the child, the multidisciplinary team shall consult with
11 appropriate personnel designated by the school board of the child's school district of
12 residence.

13 **SECTION 2760h.** 115.80 (3) (d) of the statutes is amended to read:

14 115.80 (3) (d) The multidisciplinary team shall recommend a child ~~to the school~~
15 ~~board~~ for special education if it to the school board that appointed the
16 multidisciplinary team under par. (a) or (am) if the multidisciplinary team
17 determines that the child is a child with exceptional educational needs.

18 **SECTION 2760k.** 115.80 (4) (a) of the statutes is amended to read:

19 115.80 (4) (a) A school board shall appoint staff to develop an individualized
20 education program for each child recommended to it for special education under sub.
21 (3) (d) who is 3 years of age or older. An individualized education program establishes
22 the education program to be provided a child with exceptional educational needs.
23 School board staff shall review each child's individualized education program at least
24 annually. If the child is attending a public school in a nonresident school district
25 under s. 118.51, the school board of the school district that the child is attending shall

1 notify the school board of the school district in which the child resides and the
2 individualized education program for the child shall be developed, and reviewed at
3 least annually, by staff appointed by the school board of the school district that the
4 child is attending in collaboration with appropriate personnel designated by the
5 school board of the school district in which the child resides.

6 **SECTION 2760m.** 115.80 (4m) of the statutes is amended to read:

7 115.80 (4m) EDUCATIONAL PLACEMENT. A school board shall provide an
8 educational placement under s. 115.85 (2) for each child with exceptional educational
9 needs to implement the child's individualized education program. Except as
10 provided in s. 118.51 (12) (a) and (b) 2., if a child with exceptional educational needs
11 is attending a public school in a nonresident school district under s. 118.51, the school
12 board of the school district that the child is attending shall provide an educational
13 placement under s. 115.85 (2) for the child. Except as provided in s. 115.81 (1) (1m)
14 (b), a school board may not provide an educational placement for a child without the
15 consent of the child's parent.

16 **SECTION 2760p.** 115.80 (5) (b) 3. of the statutes is amended to read:

17 115.80 (5) (b) 3. This paragraph does not impair a parent's right to a hearing
18 under s. 115.81 (1) (1m) (a).

19 **SECTION 2760r.** 115.81 (1) of the statutes is renumbered 115.81 (1m).

20 **SECTION 2760t.** 115.81 (1) of the statutes is created to read:

21 115.81 (1) DEFINITION. In this section, except as otherwise provided, for a child
22 attending a public school in a nonresident school district under s. 118.51, "school
23 board" means the school board of the school district in which the child resides.

24 **SECTION 2760v.** 115.81 (2) of the statutes is amended to read:

1 115.81 (2) NOTICES. A school board, including the school board of a school
2 district that a child is attending under s. 118.51, shall fully inform the parent of any
3 action it plans to take regarding the parent's child and of all procedural safeguards
4 available to the parent.

5 **SECTION 2760x.** 115.81 (3) of the statutes is amended to read:

6 115.81 (3) STATUS DURING HEARING AND COURT PROCEEDING. The A school board,
7 including the school board of a school district that a child is attending under s. 118.51,
8 may not change the educational placement of a child with exceptional educational
9 needs who is the subject of a hearing or court proceeding conducted under this
10 subchapter during the pendency of the hearing or court proceeding unless the change
11 is made with the written consent of the child's parent. If the health or safety of the
12 child or of other persons would be endangered by delaying the change in assignment,
13 the change may be made earlier, upon order of the school board, but without
14 prejudice to any rights that the child or parent may have.

15 **SECTION 2760z.** 115.81 (6) of the statutes is amended to read:

16 115.81 (6) HEARING AND DECISION. Upon receipt of a written request for a
17 hearing under sub. (1) (1m), the department shall appoint an impartial hearing
18 officer who is not otherwise employed by the department from the list maintained
19 under sub. (4m). The hearing officer shall conduct the hearing and shall issue a
20 decision within 45 days of the receipt of the request for the hearing under sub. (1)
21 (1m). The hearing officer may issue subpoenas, order an independent evaluation at
22 school board expense and grant specific extensions of time for cause at the request
23 of either party. If the hearing officer grants an extension of time, he or she shall
24 include that extension and the reason for the extension in the record of the

1 proceedings. The school board shall pay the cost of the hearing officer. Sections
2 227.44 to 227.50 do not apply to hearings conducted under this subsection.”.

3 **790.** Page 1250, line 12: after that line insert:

4 “SECTION 2762g. 115.85 (1) (e) of the statutes is created to read:

5 115.85 (1) (e) Notwithstanding par. (a) and except as provided in s. 118.51 (12)
6 (a) and (b) 2., if a child with exceptional educational needs is attending a public school
7 in a nonresident school district under s. 118.51, the school board of the school district
8 that the child is attending shall ensure that appropriate special education programs
9 and related services are available to the child.

10 SECTION 2762r. 115.85 (2) (a) of the statutes is amended to read:

11 115.85 (2) (a) If the school district that the child attends, the county program
12 in which the ~~child resides~~ school district participates or the cooperative educational
13 service agency for the school district ~~in which the child resides~~ operates an
14 appropriate special education program, the child shall be placed in such program.”.

15 **791.** Page 1251, line 5: after that line insert:

16 “SECTION 2765m. 115.85 (2) (f) of the statutes is created to read:

17 115.85 (2) (f) If a child with exceptional educational needs is attending a public
18 school in a nonresident school district under s. 118.51, the school board of the school
19 district that the child is attending shall provide an appropriate educational
20 placement for the child under this subsection and shall pay tuition charges instead
21 of the school district in which the child resides if any of the placement options under
22 pars. (am) to (d) are utilized.”.

23 **792.** Page 1251, line 14: after that line insert:

1 “**SECTION 2766am.** 115.85 (3) (a), (c) and (d) of the statutes are amended to
2 read:

3 115.85 (3) (a) The total number of children who reside in the school district and
4 the total number of children who attend the school district under s. 118.51 who have
5 been placed in special education programs under s. 115.85 (2), the exceptional
6 educational needs of each such child and the school attended or special education
7 received by each such child. The report shall also specify the number of children with
8 exceptional educational needs who are known to the school district and who are
9 under the age of 3 years and the exceptional educational needs of each such child.

10 (c) A description of the special education programs in which children who reside
11 in the school district or who attend the school district under s. 118.51 have been
12 placed under sub. (2), the number of persons attending each pursuant to sub. (2) and
13 the qualifications of the staff of each such special education program.

14 (d) An evaluation, in terms of the goals identified under s. 115.78 (5), of the
15 progress made by each special education program in which children who reside in the
16 school district or who attend the school district under s. 118.51 are placed under sub.
17 (2).”.

18 **793.** Page 1251, line 20: delete that line and substitute “~~of the pupil’s~~
19 ~~residence~~ spent in county program classes in the previous school year”.

20 **794.** Page 1252, line 25: after that line insert:

21 “**SECTION 2767kg.** 115.87 (1) of the statutes is renumbered 115.87 (2).

22 **SECTION 2767kr.** 115.87 (1) of the statutes is created to read:

23 115.87 (1) In this section, if a child with exceptional educational needs is
24 attending a public school in a nonresident school district under s. 118.51, “school

1 district in which the child resides” and “school district of residence” mean the school
2 district that the child attends under s. 118.51.”.

3 **795.** Page 1255, line 5: delete “of residence” and substitute “ of residence in
4 which the child resides or the school district attended by the child under s. 118.51 ”.

5 **796.** Page 1256, line 6: after that line insert:

6 “**SECTION 2768k.** 115.92 (1) of the statutes is amended to read:

7 115.92 (1) Any school board may establish a program for school age parents
8 who are residents of the school district. The program shall be designed to provide
9 services and instruction to meet the needs of school age parents, including education
10 on the skills required of a parent; family planning, as defined in s. 253.07 (1) (a),
11 including natural family planning; and information on adoption services. The
12 program shall be coordinated with existing vocational and job training programs in
13 the school district.”.

14 **797.** Page 1256, line 6: after that line insert:

15 “**SECTION 2768km.** 115.92 (2m) of the statutes is created to read:

16 115.92 (2m) A school board may not establish or maintain a program under this
17 subchapter that does not require written parental consent for the provision of family
18 planning services, as defined in s. 253.07 (1) (b), to minors.”.

19 **798.** Page 1256, line 8: delete that line and substitute:

20 “115.92 (3) ~~The department~~ Subject to sub. (2m), the state superintendent shall
21 by rule establish criteria”.

22 **799.** Page 1256, line 14: after “year” insert “in accordance with sub. (2m)
23 and”.

24 **800.** Page 1260, line 23: after that line insert:

1 **“SECTION 2771m.** 116.02 (2) (i) of the statutes is created to read:
2 116.02 (2) (i) For cooperative educational service agency no. 6, establishing a
3 charter school under s. 118.40.”.

4 **801.** Page 1264, line 17: after that line insert:

5 **“SECTION 2780d.** 117.20 of the statutes is amended to read:

6 **117.20 Referendum procedures. (1)** If a referendum is required under ss.
7 117.08 to 117.11, it shall be held on the Tuesday after the first Monday in November
8 occurring not sooner than 45 days following receipt of the petition or adoption of the
9 resolution under s. 117.08 (3) (a), 117.09 (3) (a), 117.10 (3) (a) or 117.11 (4) (a).

10 **(2)** The clerk of each affected school district shall publish notice, as required
11 under s. ~~8.55~~ 10.06 (4), in the territory of that school district. The procedures for
12 school board elections under s. 120.06 (5), (9), (11), (13) and (14) apply to a
13 referendum held under this section. The school board and school district clerk of each
14 affected school district shall each perform, for that school district, the functions
15 assigned to the school board and the school district clerk, respectively, under those
16 subsections. The form of the ballot shall correspond to the form prescribed by the
17 elections board under ss. 5.64 (2) and 7.08 (1) (a). The clerk of each affected school
18 district shall file with the secretary of the board a certified statement prepared by
19 the school district board of canvassers of the results of the referendum in that school
20 district.”.

21 **802.** Page 1266, line 13: after that line insert:

22 **“SECTION 2782j.** 118.019 (2) (e) of the statutes is amended to read:

23 118.019 (2) (e) Human sexuality; reproduction; ~~contraception~~ family planning,
24 as defined in s. 253.07 (1) (a), including natural family planning; human

1 immunodeficiency virus and acquired immunodeficiency syndrome; prenatal
2 development; childbirth; adoption; available prenatal and postnatal support; and
3 male responsibility.”.

4 **803.** Page 1267, line 3: after that line insert:

5 “**SECTION 2783g.** 118.125 (2) (d) of the statutes is amended to read:

6 118.125 (2) (d) Pupil records shall be made available to persons employed by
7 the school district which the pupil attends who are required by the department under
8 s. 115.28 (7) to hold a license and other school district officials who have been
9 determined by the school board to have legitimate educational interests, including
10 safety interests, in the pupil records. Law enforcement officers’ records obtained
11 under s. 938.396 (1m) (a) shall be made available under this paragraph for the
12 purposes of as provided in s. 118.127 (2) to those employes of the school district who
13 have been designated by the school board to receive that information for the purpose
14 of providing alcohol and other drug abuse programs. Law enforcement officers’
15 records obtained under s. 938.396 (1m) (am) and (b) shall be made available under
16 this paragraph for the purposes of s. 118.127 (2m) and (3) to persons employed by the
17 school district which the pupil attends who are required by the department under s.
18 115.28 (7) to hold a license, to other school district officials who have been determined
19 by the school board to have legitimate educational interests, including safety
20 interests, in those records and to those employes of the school district who have been
21 designated by the school board to receive that information for the purpose of
22 providing treatment programs. A school board member or an employe of a school
23 district may not be held personally liable for any damages caused by the
24 nondisclosure of any information specified in this paragraph unless the member or

1 employe acted with actual malice in failing to disclose the information. A school
2 district may not be held liable for any damages caused by the nondisclosure of any
3 information specified in this paragraph unless the school district or its agent acted
4 with gross negligence or with reckless, wanton or intentional misconduct in failing
5 to disclose the information.

6 **SECTION 2785b.** 118.127 (2) of the statutes is amended to read:

7 118.127 (2) A school district shall use disclose information from law
8 enforcement officers' records obtained under s. 938.396 (1m) (a) to persons employed
9 by the school district who are required by the department under s. 115.28 (7) to hold
10 a license and to other school district officials who have been determined by the school
11 board to have legitimate educational interests, including safety interests, in that
12 information. In addition, if that information relates to a pupil of the school district,
13 the school district shall also disclose that information to those employes of the school
14 district who have been designated by the school board to receive that information for
15 the purpose of providing alcohol and other drug abuse treatment programs for pupils
16 enrolled in the school district. A school district shall may not use law enforcement
17 officers' records obtained under s. 938.396 (1m) (a) as the sole basis for expelling or
18 suspending a pupil or as the sole basis for taking any other disciplinary action,
19 including action under the school district's athletic code, against a pupil.

20 **SECTION 2785bm.** 118.127 (2m) of the statutes is repealed.

21 **SECTION 2785c.** 118.127 (3) of the statutes is repealed.”.

22 **804.** Page 1267, line 24: after that line insert:

23 “**SECTION 2787b.** 118.145 (4) of the statutes is created to read:

1 118.145 (4) The school board of a school district operating high school grades
2 shall allow a pupil enrolled in a private school or a pupil enrolled in a home-based
3 educational program, who has met the standards for admission to high school under
4 sub. (1), to take up to 2 courses during the school year if the pupil resides in the school
5 district in which the public school is located and if the school board determines that
6 there is sufficient space in the classroom.”.

7 **805.** Page 1280, line 16: delete the material beginning with “order,” and
8 ending with “committees” on line 18 and substitute “order under s. 14.23”.

9 **806.** Page 1280, line 21: after that line insert:

10 “118.30 (1g) (a) By August 1, 1998, each school board shall adopt pupil
11 academic standards in mathematics, science, reading and writing, geography and
12 history. If the governor has issued pupil academic standards as an executive order
13 under s. 14.23, the school board may adopt those standards.”.

14 **807.** Page 1280, line 22: delete “118.30 (1g)” and substitute “(b)”.

15 **808.** Page 1280, line 23: after “examination” insert “that is designed to
16 measure whether pupils meet the pupil academic standards adopted by the school
17 board under par. (a)”.

18 **809.** Page 1280, line 24: delete that line and substitute “standards issued as
19 an executive order under s. 14.23”.

20 **810.** Page 1280, line 25: delete “sub. (1) (b)”.

21 **811.** Page 1281, line 13: delete “1999–2000” and substitute “2000–01”.

22 **812.** Page 1281, line 14: after “(1g)” insert “(b)”.

23 **813.** Page 1282, line 10: delete “2001” and substitute “2002”.

1 **814.** Page 1282, line 17: after “from” insert “the”.

2 **815.** Page 1284, line 24: delete that line.

3 **816.** Page 1285, line 3: before “In” insert “DEFINITION.”.

4 **817.** Page 1289, line 5: after “board” insert “or the board of control of
5 cooperative educational service agency no. 6”.

6 **818.** Page 1289, line 16: after that line insert:

7 “**SECTION 2831m.** 118.40 (1m) (am) of the statutes is created to read:

8 118.40 **(1m)** (am) A written petition requesting the board of control of
9 cooperative educational service agency no. 6. to establish a charter school under this
10 section may be filed with the board of control of cooperative educational service
11 agency no. 6. The petition shall include all the items under par. (b).

12 **SECTION 2831r.** 118.40 (1m) (b) 1. of the statutes is amended to read:

13 118.40 **(1m)** (b) 1. The name of the person who is seeking to establish the
14 charter school and, if the board of control of cooperative educational service agency
15 no. 6 is to establish the charter school, the name of the school district in which the
16 charter school would be located.”.

17 **819.** Page 1289, line 20: after that line insert:

18 “**SECTION 2832s.** 118.40 (1m) (b) 15. of the statutes is amended to read:

19 118.40 **(1m)** (b) 15. The effect of the establishment of the charter school on the
20 liability of the school district or, if appropriate, on the liability of the board of control
21 of cooperative educational service agency no. 6.”.

22 **820.** Page 1289, line 23: delete the material beginning with “shall” and
23 ending with “shall” on line 24 and substitute “or the board of control of cooperative

1 educational service agency no. 6, whichever is appropriate, shall hold a public
2 hearing on the petition. ~~At the hearing, the school board shall~~ and at the hearing".

3 **821.** Page 1290, line 5: before "shall" insert "or board of control of cooperative
4 educational service agency no. 6".

5 **822.** Page 1290, line 6: before "denies" insert "or board of control of
6 cooperative educational service agency no. 6".

7 **823.** Page 1292, line 14: on lines 14 and 15, after "board" insert "or board of
8 control of cooperative educational service agency no. 6".

9 **824.** Page 1292, line 18: after that line insert:

10 "SECTION 2836m. 118.40 (3) (am) of the statutes is created to read:

11 118.40 (3) (am) If the board of control of cooperative educational service agency
12 no. 6 grants the petition under sub. (2) (c) to establish a charter school and it if has
13 adopted the bylaws required by s. 116.02 (2) (i), it may contract with the person
14 named in the petition under sub. (1m) (b) 1. to operate a charter school within the
15 boundaries of cooperative educational service agency no. 6 for pupils who reside in
16 a school district located within the boundaries of cooperative educational service
17 agency no. 6. The board of control of cooperative educational service agency no. 6
18 shall comply with the requirements of sub. (2r) (d)."

19 **825.** Page 1293, line 6: delete "an entity under s. 118.40 (2r) (b)" and
20 substitute "the contracting entity".

21 **826.** Page 1293, line 8: after that line insert:

22 "SECTION 2839m. 118.40 (3m) of the statutes is created to read:

23 118.40 (3m) CHARTER SCHOOLS ESTABLISHED BY COOPERATIVE EDUCATIONAL
24 SERVICE AGENCY NO. 6. (a) For each school district from which pupils attend a charter

1 school established under sub. (3) (am), the department shall pay the operator of the
2 charter school an amount determined by multiplying the number of pupils attending
3 the charter school from the school district in the current school year by the shared
4 cost per member in the previous school year for that school district or the amount of
5 aid under s. 121.08 to which the school district is entitled in the current school year,
6 whichever is less. The department shall pay, from the appropriation under s. 20.255
7 (2) (fr), 25% of the total amount in September, 25% in December, 25% in February
8 and 25% in June. The department shall send the check to the operator of the charter
9 school.

10 (b) The department shall annually reduce the aid paid under s. 121.08 to each
11 school district under par. (a) by the amount paid to the operator of the charter school
12 on behalf of that school district.

13 (c) The department shall ensure that aid paid to other school districts under
14 s. 121.08 is neither reduced nor increased as a result of the payments under par. (a)
15 or the reduction in aid under par. (b) and that the amount of the aid reduction under
16 par. (b) lapses to the general fund.”.

17 **827.** Page 1293, line 11: delete “the entity under sub. (2r) (b)” and substitute
18 “any entity”.

19 **828.** Page 1293, line 12: delete “, if applicable, the entity under sub. (2r) (b)”
20 and substitute “the contracting entity”.

21 **829.** Page 1293, line 14: delete the material beginning with “entity” and
22 ending with “under sub. (2r) (b)” on line 15 and substitute “contracting entity”.

23 **830.** Page 1294, line 9: after that line insert:

1 “3. A charter school established by cooperative educational service agency no.
2 6 is an instrumentality of cooperative educational service agency no. 6 and
3 cooperative educational service agency no. 6 shall employ all personnel for the
4 charter school.”.

5 **831.** Page 1295, line 17: after that line insert:

6 “**SECTION 2843g.** 118.51 of the statutes is created to read:

7 **118.51 Full-time open enrollment. (1) DEFINITIONS.** In this section:

8 (a) “Child with exceptional educational needs” has the meaning given in s.
9 115.76 (3).

10 (b) “Nonresident school board” means the school board of a nonresident school
11 district.

12 (c) “Nonresident school district” means a school district, other than a pupil’s
13 resident school district, that the pupil is attending or has applied to attend under this
14 section.

15 (d) “Parent” includes a guardian.

16 (e) “Resident school board” means the school board of a resident school district.

17 (f) “Resident school district” means the school district in which a pupil resides.

18 **(2) APPLICABILITY.** Beginning in the 1998–99 school year, a pupil may attend
19 a public school, including a prekindergarten, early childhood or school–operated day
20 care program, in a nonresident school district under this section, except that a pupil
21 may attend a prekindergarten, early childhood or school–operated day care program
22 in a nonresident school district only if the pupil’s resident school district offers the
23 same type of program that the pupil wishes to attend and the pupil is eligible to
24 attend that program in his or her resident school district.

1 **(3) APPLICATION PROCEDURES. (a) *Submission and acceptance or rejection.*** 1.

2 The parent of a pupil who wishes to attend a public school in a nonresident school
3 district under this section shall submit an application, on a form provided by the
4 department under sub. (15) (a), to the school board of the nonresident school district
5 that the pupil wishes to attend, not earlier than the first Monday in February and
6 not later than the 3rd Friday in February of the school year immediately preceding
7 the school year in which the pupil wishes to attend. On the 4th Monday in February,
8 the nonresident school board shall send a copy of the application to the pupil's
9 resident school board and the department. The application may include a request
10 to attend a specific school or program offered by the nonresident school district.

11 2. A nonresident school board may not act on any application received under
12 subd. 1. until after the 3rd Friday in February. If a nonresident school board receives
13 more applications for a particular grade or program than there are spaces available
14 in the grade or program, the nonresident school board shall determine which pupils
15 to accept on a random basis.

16 3. On or before the first Friday following the first Monday in April following
17 receipt of the application, the nonresident school board shall notify the applicant, in
18 writing, whether it has accepted the application. If the nonresident school board
19 rejects an application, it shall include in the notice the reason for the rejection.

20 4. On or before the first Friday following the first Monday in April following
21 receipt of a copy of the application, if a resident school board denies a pupil's
22 enrollment in a nonresident school district under sub. (6), (7) or (12) (b) 1., the
23 resident school board shall notify the applicant and the nonresident school board, in
24 writing, that the application has been denied and include in the notice the reason for
25 the denial.

1 5. If an application is accepted, on or before the 2nd Friday following the first
2 Monday in May following receipt of the application, the nonresident school board
3 shall notify the applicant, in writing, of the specific school or program that the pupil
4 may attend in the following school year.

5 6. If an application is accepted, on or before the first Friday following the first
6 Monday in June following receipt of a notice of acceptance, the pupil's parent shall
7 notify the nonresident school board of the pupil's intent to attend school in that school
8 district in the following school year.

9 (b) *Notice to resident school district.* Annually by June 30, each nonresident
10 school board that has accepted a pupil under this section for attendance in the
11 following school year shall report the name of the pupil to the pupil's resident school
12 board.

13 (c) *Subsequent reapplication; when required.* 1. If a pupil's parent notifies a
14 nonresident school board, under par. (a) 6., that the pupil intends to attend school
15 in that school district in the following school year, the pupil may attend that school
16 district in the following school year and may continue to attend that school district
17 in succeeding school years without reapplying, except that the nonresident school
18 board may require that the pupil reapply, no more than once, when the pupil enters
19 middle school, junior high school or high school.

20 2. If at any time a pupil who is attending school in a nonresident school district
21 under this section wishes to attend school in a different nonresident school district
22 under this section, the pupil's parent shall follow the application procedures under
23 par. (a).

24 **(4) ADOPTION OF POLICIES AND CRITERIA.** (a) By December 1, 1997, each school
25 board shall adopt a resolution specifying all of the following:

- 1 1. Its reapplication requirements, if any, under sub. (3) (c) 1.
- 2 2. Its acceptance and rejection criteria under sub. (5) (a) and (b).
- 3 3. A statement of the preference required under sub. (5) (c).
- 4 4. Its transfer limitations, if any, under sub. (6).
- 5 5. If the school district is eligible for aid under subch. VI of ch. 121, the
6 limitation on transfers into or out of the school district imposed by the school board
7 under sub. (7).
- 8 6. Whether it will provide transportation under s. 121.54 (10) for some or all
9 of the pupils who reside in the school district and attend school in a nonresident
10 school district under this section for some or all of the pupils who reside in other
11 school districts and attend its schools under this section, and the means, under s.
12 121.55, by which it will provide such transportation.
- 13 (b) If the school board revises its criteria or policies under par. (a), it shall do
14 so by resolution.
- 15 **(5) NONRESIDENT SCHOOL DISTRICT ACCEPTANCE CRITERIA.** (a) *Permissible criteria.*
16 Except as provided in par. (c), the criteria for accepting and rejecting applications
17 from nonresident pupils under sub. (3) (a) may include only the following:
18 1. The availability of space in the schools, programs, classes or grades within
19 the nonresident school district, including any class size limits, pupil-teacher ratios,
20 pupils attending the school district for whom tuition is paid under s. 121.78 (1) (a)
21 or enrollment projections established by the nonresident school board.
- 22 2. Whether the pupil has been expelled from school by any school district
23 during the current or 2 preceding school years for any of the following reasons or
24 whether a disciplinary proceeding involving the pupil, which is based on any of the
25 following reasons, is pending:

1 a. Conveying or causing to be conveyed any threat or false information
2 concerning an attempt or alleged attempt being made or to be made to destroy any
3 school property by means of explosives.

4 b. Engaging in conduct while at school or while under supervision of a school
5 authority that endangered the health, safety or property of others.

6 c. Engaging in conduct while not at school or while not under the supervision
7 of a school authority that endangered the health, safety or property of others at
8 school or under the supervision of a school authority or of any employe of the school
9 district or member of the school board.

10 d. Possessing a dangerous weapon, as defined in s. 939.22 (10), while at school
11 or while under the supervision of a school authority.

12 4. Whether the special education program or related services described in the
13 child's individualized education program under s. 115.80 (4) are available in the
14 nonresident school district or whether there is space available in the special
15 education program identified in the child's individualized education program,
16 including any class size limits, pupil-teacher ratios or enrollment projections
17 established by the nonresident school board.

18 5. Whether the child has been screened by his or her resident school board
19 under s. 115.80 (2) to determine if there is reasonable cause to believe that the child
20 is a child with exceptional educational needs.

21 6. Whether the child has been reported to his or her resident school board under
22 s. 115.80 (1) or identified by his or her resident school board under s. 115.80 (2) but
23 not yet evaluated by a multidisciplinary team appointed by his or her resident school
24 board under s. 115.80 (3).

1 (b) *Rejection after initial acceptance.* The criteria under par. (a) may provide
2 that, notwithstanding the nonresident school board's acceptance of an application
3 under sub. (3) (a) 3., at any time prior to the beginning of the school year in which
4 the pupil will first attend school in the school district under this section, the school
5 board may notify the pupil that he or she may not attend school in the school district
6 if the school board determines that any of the criteria under par. (a) 2. are met.

7 (c) *Required preference.* A nonresident school board shall give preference in
8 accepting applications under sub. (3) (a) to pupils and to siblings of pupils who are
9 already attending public school in the nonresident school district.

10 **(6) RESIDENT SCHOOL DISTRICT TRANSFER LIMITATIONS.** A school board may limit
11 the number of its resident pupils attending public school in other school districts
12 under this section in the 1998-99 school year to 3% of its membership. In each of the
13 7 succeeding school years, a school board may limit the number of its resident pupils
14 attending public school in other school districts to an additional 1% of its
15 membership. If more than the maximum allowable number of resident pupils apply
16 to attend public school in other school districts in any school year under this section,
17 the school board shall determine which pupils will be allowed to attend public school
18 in other school districts on a random basis, except that the school board shall give
19 preference to pupils who are already attending public school in the school district to
20 which they are applying under this section and to siblings of such pupils.

21 **(7) RACIAL BALANCE.** (a) The school board of a school district that is eligible for
22 aid under subch. VI of ch. 121 shall reject any application for transfer into or out of
23 the school district made under this section if the transfer would increase racial
24 imbalance in the school district. A pupil who transfers out of a school district under
25 subch. VI of ch. 121 shall not be counted in that school district's membership, as

1 defined in s. 121.004 (5), for the purpose of determining the school district's racial
2 balance under this paragraph.

3 (b) The school board of a school district that receives applications for transfer
4 into the school district under subch. VI of ch. 121 and this section may not accept
5 applications made under this section until it has accepted or rejected all applications
6 made under subch. VI of ch. 121.

7 (8) DISCIPLINARY RECORDS. Notwithstanding s. 118.125, the resident school
8 board shall provide to the nonresident school board to which a pupil has applied
9 under this section, upon request by that school board, a copy of any expulsion
10 findings and orders pertaining to the pupil, a copy of records of any pending
11 disciplinary proceeding involving the pupil, a written explanation of the reasons for
12 the expulsion or pending disciplinary proceeding and the length of the term of the
13 expulsion or the possible outcomes of the pending disciplinary proceeding.

14 (9) APPEAL OF REJECTION. If the nonresident school board rejects an application
15 under sub. (3) (a) or (7) or the resident school board prohibits a pupil from attending
16 public school in a nonresident school district under sub. (6), (7) or (12) (b) 1., the
17 pupil's parent may appeal the decision to the department within 30 days after the
18 decision. The department shall affirm the school board's decision unless the
19 department finds that the decision was arbitrary or unreasonable.

20 (10) PUPIL ASSIGNMENT. A nonresident school board may assign pupils accepted
21 to attend public school in the school district under this section to a school or program
22 within the school district. The school board may give preference in attendance at a
23 school, program, class or grade to residents of the school district who live outside the
24 school's attendance area.

1 **(12) SPECIAL EDUCATION PROGRAM OR RELATED SERVICES.** (a) *Unavailable after*
2 *enrollment.* If the individualized education program for a pupil, developed or revised
3 under s. 115.80 (4) after a child begins attending public school in a nonresident school
4 district under this section, requires a special education program or related service
5 that is not available in the nonresident school district or if there is no space available
6 in the special education program identified in the child's individualized education
7 program, including any class size limits, pupil-teacher ratios or enrollment
8 projections established by the nonresident school board, the nonresident school
9 board may notify the child's parent and the child's resident school board that the
10 program or service is not available in the nonresident school district. If such notice
11 is provided, the child shall be transferred to his or her resident school district, which
12 shall provide an educational placement for the child under ss. 115.80 (4m) and 115.85
13 (2).

14 (b) *Undue financial burden.* 1. If the costs of the special education program
15 or services required in the individualized education program under s. 115.80 (4) for
16 a child with exceptional educational needs whose parent has submitted an
17 application under sub. (3) (a), as proposed to be implemented by the nonresident
18 school district, would impose upon the child's resident school district an undue
19 financial burden in light of the resident school district's total economic
20 circumstances, including its revenue limit under subch. VII of ch. 121, its ability to
21 pay tuition costs for the pupil and the per pupil special education program or services
22 costs for children with exceptional educational needs continuing to be served by the
23 resident school district, the child's resident school board may notify the child's parent
24 and the nonresident school board by the first Friday following the first Monday in

1 April that the pupil may not attend the nonresident school district to which the child
2 has applied.

3 2. If the costs of the special education program or services required in an
4 individualized education program for a pupil, developed or revised under s. 115.80
5 (4) after a child begins attending public school in a nonresident school district under
6 this section, as implemented or proposed to be implemented by the nonresident
7 school district, would impose upon the child's resident school district an undue
8 financial burden in light of the resident school district's total economic
9 circumstances, including its revenue limit under subch. VII of ch. 121, its ability to
10 pay tuition costs for the pupil and the per pupil special education program or services
11 costs for children with exceptional educational needs continuing to be served by the
12 resident school district, the child's resident school board may notify the pupil's
13 parent and the nonresident school board that the program or services impose such
14 an undue financial burden on the resident school district. If such notice is provided,
15 the child shall be transferred to his or her resident school district, which shall provide
16 an educational placement for the child under ss. 115.80 (4m) and 115.85 (2). The
17 pupil's parent may appeal a required transfer under this subdivision to the
18 department within 30 days after receipt of the notice. The department shall affirm
19 the resident school board's determination unless the department finds that the
20 determination was arbitrary or unreasonable.

21 **(13) RIGHTS AND PRIVILEGES OF NONRESIDENT PUPILS.** A pupil attending a public
22 school in a nonresident school district under this section has all of the rights and
23 privileges of pupils residing in that school district and is subject to the same rules
24 and regulations as pupils residing in that school district.

1 **(13m)** PARTICIPATION IN CERTAIN PROGRAMS. A pupil attending a public school in
2 a nonresident school district under this section shall be considered a resident of the
3 nonresident school district for the purposes of participating in programs of a
4 cooperative educational service agency or a county handicapped children's education
5 board.

6 **(14)** TRANSPORTATION. (a) *Responsibility*. 1. Except as provided in subd. 2., the
7 parent of a pupil attending public school in a nonresident school district under this
8 section is responsible for transporting the pupil to and from school in the nonresident
9 school district attended by the pupil.

10 2. If the pupil is a child with exceptional educational needs and transportation
11 of the pupil is required in the individualized education program developed for the
12 child under s. 115.80 (4) or is required under s. 121.54 (3), the nonresident school
13 district shall provide such transportation for the child.

14 (b) *Low-income assistance*. The parent of a pupil who is eligible for a free or
15 reduced-price lunch under 42 USC 1758 (b) and who will be attending public school
16 in a nonresident school district in the following school year under this section may
17 apply to the department, on the form prepared under sub. (15) (a), for the
18 reimbursement of costs incurred by the parent for the transportation of the pupil to
19 and from the pupil's residence and the school that the pupil will be attending. The
20 department shall determine the reimbursement amount and shall pay the amount
21 from the appropriation under s. 20.255 (2) (cy). The reimbursement amount may not
22 exceed the actual transportation costs incurred by the parent or 3 times the
23 statewide average per pupil transportation costs, whichever is less. If the
24 appropriation under s. 20.255 (2) (cy) in any one year is insufficient to pay the full
25 amount of approved claims under this paragraph, payments shall be prorated among

1 the parents entitled thereto. By the 2nd Friday following the first Monday in May
2 following receipt of the parent's application under sub. (3) (a), the department shall
3 provide to each parent requesting reimbursement under this paragraph an estimate
4 of the amount of reimbursement that the parent will receive if the pupil attends
5 public school in the nonresident school district in the following school year.

6 **(15) DEPARTMENT DUTIES.** The department shall do all of the following:

7 (a) *Application form.* Prepare, distribute to school districts and make available
8 to parents an application form to be used by parents under sub. (3) (a). The form shall
9 include provisions that permit a parent to apply for transportation reimbursement
10 under sub. (14) (b).

11 (b) *Information and assistance.* Develop and implement an outreach program
12 to educate parents about the open enrollment program under this section, including
13 activities specifically designed to educate low-income parents, and services to
14 answer parents' questions about the program and assist them in exercising the open
15 enrollment option provided under this section.

16 (c) *Annual report.* Annually submit a report to the governor, and to the
17 appropriate standing committees of the legislature under s. 13.172 (3), on the
18 number of pupils who applied to attend public school in a nonresident school district
19 under this section, the number of applications denied and the bases for the denials,
20 and the number of pupils attending public school in a nonresident school district
21 under this section.

22 **(16) STATE AID ADJUSTMENTS.** (a) Annually, the department shall determine all
23 of the following:

1 1. For each school district, the number of nonresident pupils attending public
2 school in the school district under this section, other than pupils for whom tuition is
3 paid under sub. (17).

4 2. For each school district, the number of resident pupils attending public
5 school in a nonresident school district under this section, other than pupils for whom
6 tuition is paid under sub. (17).

7 3. The statewide average per pupil school district cost for regular instruction,
8 cocurricular activities, instructional support services and pupil support services in
9 the previous school year.

10 (b) 1. If the number determined in par. (a) 1. is greater than the number
11 determined in par. (a) 2. for a school district, the department shall increase that
12 school district's state aid payment under s. 121.08 by an amount equal to the
13 difference multiplied by the amount determined under par. (a) 3.

14 2. If the number determined in par. (a) 1. is less than the number determined
15 in par. (a) 2. for a school district, the department shall decrease that school district's
16 state aid payment under s. 121.08 by an amount equal to the difference multiplied
17 by the amount determined under par. (a) 3. If the state aid payment under s. 121.08
18 is insufficient to cover the reduction, the department shall decrease other state aid
19 payments made by the department to the school district by the remaining amount.
20 If the state aid payment under s. 121.08 and other state aid payments made by the
21 department to the school district are insufficient to cover the reduction, the
22 department shall use the moneys appropriated under s. 20.255 (2) (cg) to pay the
23 balance to school districts under subd. 1.

24 (c) If a pupil attends public school in a nonresident school district under this
25 section for less than a full school term, the department shall prorate the state aid

1 adjustments under this subsection based on the number of days that school is in
2 session and the pupil attends public school in the nonresident school district.

3 (d) The department shall ensure that the aid adjustment under par. (b) does
4 not affect the amount determined to be received by a school district as state aid under
5 s. 121.08 for any other purpose.

6 (17) SPECIAL EDUCATION TUITION. The resident school board shall pay to the
7 nonresident school board, for each child who is attending public school in the
8 nonresident school district under this section and is enrolled in a program for
9 children with exceptional educational needs, tuition calculated using the daily
10 tuition rate under s. 121.83 for children enrolled in such programs in the nonresident
11 school district, or an amount agreed to by the school boards of the 2 school districts.

12 **SECTION 2843r.** 118.52 of the statutes is created to read:

13 **118.52 Part-time open enrollment. (1) DEFINITIONS.** In this section:

14 (a) "Nonresident school board" means the school board of a nonresident school
15 district.

16 (b) "Nonresident school district" means a school district, other than a pupil's
17 resident school district, in which the pupil is attending a course or has applied to
18 attend a course under this section.

19 (c) "Parent" includes a guardian.

20 (d) "Resident school board" means the school board of a resident school district.

21 (e) "Resident school district" means the school district in which a pupil resides.

22 (2) APPLICABILITY. Beginning in the 1998-99 school year, a pupil enrolled in a
23 public school in the high school grades may attend public school in a nonresident
24 school district under this section for the purpose of taking a course offered by the

1 nonresident school district. A pupil may attend no more than 2 courses at any time
2 in nonresident school districts under this section.

3 **(3) APPLICATION PROCEDURES.** (a) The parent of a pupil who wishes to attend
4 public school in a nonresident school district for the purpose of taking a course under
5 this section shall submit an application, on a form provided by the department, to the
6 school board of the nonresident school district in which the pupil wishes to attend a
7 course not later than 6 weeks prior to the date on which the course is scheduled to
8 commence. The application shall specify the course that the pupil wishes to attend
9 and may specify the school or schools at which the pupil wishes to attend the course.
10 The nonresident school board shall send a copy of the application to the pupil's
11 resident school board.

12 (b) If a nonresident school board receives more applications for a particular
13 course than there are spaces available in the course, the nonresident school board
14 shall determine which pupils to accept on a random basis.

15 (c) No later than one week prior to the date on which the course is scheduled
16 to commence, the nonresident school board shall notify the applicant and the
17 resident school board, in writing, whether the application has been accepted and, if
18 the application is accepted the school at which the pupil may attend the course. The
19 acceptance applies only for the following semester, school year or other session in
20 which the course is offered. If the nonresident school board rejects an application,
21 it shall include in the notice the reason for the rejection.

22 (d) No later than one week prior to the date on which the course is scheduled
23 to commence, the resident school board shall do all of the following:

24 1. If it denies an application to attend public school in a nonresident school
25 district under sub. (6), notify the applicant and the nonresident school board, in

1 writing, that the application has been denied and include in the notice the reason for
2 the rejection.

3 2. If it determines that the course does not satisfy high school graduation
4 requirements under s. 118.33 in the resident school district, notify the applicant in
5 writing.

6 (e) Following receipt of a notice of acceptance but prior to the date on which the
7 course is scheduled to commence, the pupil's parent shall notify the resident school
8 board and nonresident school board of the pupil's intent to attend the course in the
9 nonresident school district.

10 (4) ADOPTION OF POLICIES AND CRITERIA. By December 1, 1997, each school board
11 shall adopt a resolution specifying the criteria and policies described in subs. (5) and
12 (6). If the school board wishes to revise the criteria or policies, it shall do so by
13 resolution.

14 (5) NONRESIDENT SCHOOL DISTRICT ACCEPTANCE AND REJECTION CRITERIA. School
15 board policies and criteria for accepting and rejecting applications under sub. (3)
16 from pupils who reside in another school district shall be the same as the policies and
17 criteria for entry into the course that apply to pupils who reside in the school district,
18 except that the school board may give preference in attendance in a course to
19 residents of the school district.

20 (6) RESIDENT SCHOOL DISTRICT REJECTION CRITERIA. (a) *Individualized education*
21 *program requirements*. The school board of a pupil's resident school district shall
22 reject a pupil's application to attend a course in a public school in a nonresident
23 school district if the resident school board determines that the course conflicts with
24 the individualized education program for the pupil under s. 115.80 (4).

1 (b) *Undue financial burden.* The school board of a pupil's resident school
2 district may reject an application to attend a course in a public school in a
3 nonresident school district if the cost of the course would impose upon the resident
4 school district an undue financial burden in light of the resident school district's total
5 economic circumstances, including its revenue limit under subch. VII of ch. 121, its
6 ability to pay tuition costs for the pupil and the per pupil costs for children continuing
7 to be served by the resident school district.

8 **(8) APPEAL OF REJECTION.** If an application is rejected under sub. (5) or a pupil
9 is prohibited from attending a course in a public school in a nonresident school
10 district under sub. (6), the pupil's parent may appeal the decision to the department
11 within 30 days after the decision. The department shall affirm the school board's
12 decision unless the department finds that the decision was arbitrary or
13 unreasonable. The department's decision is final and is not subject to judicial review
14 under subch. III of ch. 227.

15 **(9) RIGHTS AND PRIVILEGES OF NONRESIDENT PUPILS.** A pupil attending a course
16 in a public school in a nonresident school district under this section has all of the
17 rights and privileges of pupils residing in that school district and is subject to the
18 same rules and regulations as pupils residing in that school district.

19 **(10) DISCIPLINARY RECORDS.** Notwithstanding s. 118.125, the resident school
20 board shall provide to the nonresident school board to which a pupil has applied
21 under this section, upon request by that school board, a copy of any expulsion
22 findings and orders, a copy of records of any pending disciplinary proceeding
23 involving the pupil, a written explanation of the reasons for the expulsion or pending
24 disciplinary proceeding and the length of the term of the expulsion or the possible
25 outcomes of the pending disciplinary proceeding.

1 (11) TRANSPORTATION. (a) *Responsibility.* The parent of a pupil attending a
2 course in a public school in a nonresident school district under this section is
3 responsible for transporting the pupil to and from the course that the pupil is
4 attending.

5 (b) *Low-income assistance.* The parent of a pupil who is attending a course in
6 a public school in a nonresident school district under this section may apply to the
7 department for reimbursement of the costs incurred by the parent for the
8 transportation of the pupil to and from the pupil's residence or school in which the
9 pupil is enrolled and the school at which the pupil is attending the course if the pupil
10 and parent are unable to pay the cost of such transportation. The department shall
11 determine the reimbursement amount and shall pay the amount from the
12 appropriation under s. 20.255 (2) (cw). The department shall give preference under
13 this paragraph to those pupils who are eligible for a free or reduced-price lunch
14 under 42 USC 1758 (b).

15 (12) TUITION. The resident school board shall pay to the nonresident school
16 board for each pupil attending a course in a public school in the nonresident school
17 district under this section an amount equal to the cost of providing the course to the
18 pupil, calculated in a manner determined by the department.”.

19 **832.** Page 1295, line 17: after that line insert:

20 “**SECTION 2842y.** 118.47 of the statutes is created to read:

21 **118.47 Contracts with private schools and agencies.** (1) In this section,
22 “dropout” has the meaning given in s. 118.153 (1) (b).

23 (2) In a school district in which the number of dropouts from high school in the
24 previous school year exceeded 1,000 and the number of pupils who failed to score

1 above the state minimum performance standard on the 3rd grade reading test in the
2 previous school year exceeded 300, the school board may contract with any
3 nonsectarian private school located in the school district or any nonsectarian private
4 agency located in the school district to provide educational programs to pupils
5 enrolled in the school district. The school board shall ensure that each private school
6 or agency under contract with the school board complies with ss. 118.125 and 118.13,
7 20 USC 1232g, 20 USC 1681 to 1688, 20 USC 3171 to 3197, 29 USC 794, 42 USC
8 2000d and 42 USC 6101 to 6107, and all health and safety laws and rules that apply
9 to public schools.

10 **(3)** Each private school or agency under contract with the school board shall
11 do all of the following:

12 (a) Offer a full school year educational program.

13 (b) Participate in the school board's parent information program.

14 (c) Offer diverse opportunities for parents to participate in the school's
15 programs.

16 (d) Meet insurance and financial requirements established by the school board.

17 (e) Develop a pupil recruitment and enrollment plan that incorporates all of the
18 following:

19 1. A good faith effort to achieve racial balance.

20 2. A pupil selection process that gives preference to the siblings of enrolled
21 pupils and that gives no other preferences except those approved by the school board.

22 3. A statement describing how the plan will serve the needs of low-academic
23 achievers and pupils from low-income families.

24 (f) Report to the school board any information requested by the school board.

1 (4) Any pupil enrolled in the school district may attend, at no charge, any
2 private school or agency with which the school board has contracted under sub. (2)
3 if space is available in the private school or agency.

4 (5) The school board shall establish appropriate, quantifiable performance
5 standards for pupils at each private school or agency with which it contracts in such
6 areas as attendance, reading achievement, pupil retention, pupil promotion, parent
7 surveys, credits earned and grade point average.

8 (6) Annually, the school board shall monitor the performance of the program
9 under this section. The school board may use the results of standardized basic
10 educational skills tests to do so. The school board shall include a summary of its
11 findings in its annual report to the state superintendent under s. 120.18.

12 (7) No contract under this section may extend beyond June 30, 2002.”.

13 **833.** Page 1297, line 4: delete “For” and substitute “Except as provided in par.
14 (dg), for”.

15 **834.** Page 1297, line 21: after that line insert:

16 “(dg) 1. If, by September 15, 1997, or within 30 days after the effective date of
17 this subdivision [revisor inserts date], whichever is later, the technical college
18 system board, the Wisconsin Association of School Boards and the School
19 Administrators Alliance agree on a different method than the method under par. (d)
20 for determining the amount that a school board must pay a technical college district
21 board for each pupil attending a technical college under this subsection, they shall
22 submit it to the department by September 15, 1997, or within 30 days after the
23 effective date of this subdivision [revisor inserts date], whichever is later.

1 2. Within 30 days after receiving the recommended method under subd. 1., the
2 department shall approve or reject it. If the department approves the method it shall
3 immediately submit the method to the cochairpersons of the joint committee on
4 finance. If the cochairpersons of the joint committee on finance do not notify the
5 department that the committee has scheduled a meeting for the purpose of reviewing
6 the method within 14 working days after the date that the method was submitted,
7 the method is approved. If, within 14 working days after the date that the method
8 was submitted, the cochairpersons of the committee notify the department that the
9 committee has scheduled a meeting for the purpose of reviewing the method, the
10 method is not approved until the committee approves it.

11 3. If the method is approved by the department and by the joint committee on
12 finance under subd. 2., the department shall promulgate rules implementing the
13 method beginning with pupils attending a technical college in the 1998 spring
14 semester.”.

15 **835.** Page 1298, line 15: after “118.14,” insert “118.145 (4).”.

16 **836.** Page 1298, line 16: before “118.55” insert “118.51, 118.52.”.

17 **837.** Page 1298, line 16: after “118.43,” insert “118.47.”.

18 **838.** Page 1300, line 3: after that line insert:

19 “**SECTION 2848d.** 119.235 of the statutes is repealed.”.

20 **839.** Page 1301, line 25: after that line insert:

21 “**SECTION 2850b.** 119.48 (4) (b) of the statutes is amended to read:

22 119.48 (4) (b) The communication shall state the purposes for which the funds
23 from the increase in the levy rate will be used and shall request the common council
24 to submit to the voters of the city the question of exceeding the levy rate specified in

1 s. 65.07 (1) (f) at the ~~September election or a special~~ an election authorized under s.
2 8.065.

3 **SECTION 2851b.** 119.48 (4) (c) of the statutes is amended to read:

4 119.48 (4) (c) Upon receipt of the communication, the common council shall
5 cause the question of exceeding the levy rate specified under s. 65.07 (1) (f) to be
6 submitted to the voters of the city at the ~~September election or at a special~~ next
7 election authorized under s. 8.065 (2) or an election authorized under s. 8.065 (3) to
8 be held not sooner than 45 days after receipt of the communication. The question of
9 exceeding the levy rate specified under s. 65.07 (1) (f) shall be submitted upon a
10 separate ballot or in some other manner so that the vote upon exceeding the levy rate
11 specified in s. 65.07 (1) (f) is taken separately from any other question submitted to
12 the voters. If a majority of the electors voting on the question favors exceeding the
13 levy rate specified under s. 65.07 (1) (f), the common council shall approve the
14 increase in the levy rate and shall levy and collect a tax equal to the amount of money
15 approved by the electors.”.

16 **840.** Page 1302, line 13: after that line insert:

17 **“SECTION 2852b.** 119.49 (1) (b) of the statutes is amended to read:

18 119.49 (1) (b) The communication shall state the amount of funds needed under
19 par. (a) and the purposes for which the funds will be used and shall request the
20 common council to submit to the voters of the city at the next election authorized
21 under s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held in the city
22 not sooner than 45 days after receipt of the communication the question of issuing
23 school bonds in the amount and for the purposes stated in the communication.

24 **SECTION 2853b.** 119.49 (2) of the statutes is amended to read:

1 119.49 (2) Upon receipt of the communication, the common council shall cause
2 the question of issuing such school bonds in the stated amount and for the stated
3 school purposes to be submitted to the voters of the city at the next election ~~held in~~
4 the city authorized under s. 8.065 (2) or an election authorized under s. 8.065 (3) that
5 occurs not sooner than 45 days after the date of receipt of the communication. The
6 question of issuing such school bonds shall be submitted upon a separate ballot or
7 in some other manner so that the vote upon issuing such school bonds is taken
8 separately from any other question submitted to the voters. If a majority of the
9 electors voting on the school bond question favors issuing such school bonds, the
10 common council shall cause the school bonds to be issued immediately or within the
11 period permitted by law, in the amount requested by the board and in the manner
12 other bonds are issued.”.

13 **841.** Page 1304, line 19: after that line insert:

14 “**SECTION 2854y.** 120.115 of the statutes is created to read:

15 **120.115 Report on debt service.** (1) Within 10 days after holding a
16 referendum that would authorize the school district to incur debt or that would
17 authorize the common council of a 1st class city to incur debt on behalf of the school
18 district operating under ch. 119, the school board shall notify the department of the
19 approval or rejection of the referendum.

20 (2) (a) Within 10 days after adopting or revising a schedule for the payment of
21 debt service, the school board shall submit the schedule to the department.

22 (b) Within 10 days after adopting or revising a schedule for the payment of debt
23 service on debt issued on behalf of the school district operating under ch. 119, the
24 common council of a 1st class city shall submit the schedule to the department.

1 **(3)** Monthly, the department shall submit to the department of administration
2 and the legislative fiscal bureau a report that aggregates all debt service payment
3 schedules submitted under sub. (2).”.

4 **842.** Page 1304, line 22: after that line insert:

5 “**SECTION 2855m.** 120.12 (15) of the statutes is amended to read:

6 120.12 **(15)** SCHOOL HOURS. Establish rules scheduling the hours of a normal
7 school day. The school board may differentiate between the various elementary and
8 high school grades in scheduling the school day. The equivalent of 180 such days, as
9 defined in s. 115.01 (10), shall be held during the school term. ~~This subsection shall
10 not be construed to eliminate a school district’s duty to bargain with the employe’s
11 collective bargaining representative over any calendaring proposal which is
12 primarily related to wages, hours and conditions of employment.”.~~

13 **843.** Page 1306, line 22: delete the material beginning with that line and
14 ending with page 1307, line 2, and substitute:

15 “**SECTION 2860c.** 120.13 (2) (g) of the statutes, as affected by 1995 Wisconsin
16 Act 289, is amended to read:

17 120.13 **(2)** (g) Every self-insured plan under par. (b) shall comply with ss.
18 49.493 (3) (d), 631.89, 631.90, 631.93 (2), ~~632.745 (2), (3) and (5)~~ 632.746 (10) (a) 2.
19 and (b) 2., 632.747 (3), 632.87 (4) and (5), 632.895 (9) and (10), 632.896, 767.25 (4m)
20 (d) and 767.51 (3m) (d).

21 **SECTION 2860f.** 120.13 (2) (g), as affected by 1997 Wisconsin Act (this act),
22 of the statutes is amended to read:

23 120.13 **(2)** (g) Every self-insured plan under par. (b) shall comply with ss.
24 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),

1 632.87 (4) and (5), 632.895 (9) and ~~(10)~~ to (13), 632.896, 767.25 (4m) (d) and 767.51
2 (3m) (d).”.

3 **844.** Page 1309, line 19: after that line insert:

4 “**SECTION 2865m.** 121.004 (7) (a) of the statutes is amended to read:

5 121.004 (7) (a) “Pupils enrolled” is the total number of pupils, as expressed by
6 official enrollments, in all schools of the school district, except as provided in pars.
7 (b) to ~~(d)~~ (e). If such total contains a fraction, it shall be expressed as the nearest
8 whole number. The same method shall be used in computing the number of pupils
9 enrolled for resident pupils, nonresident pupils or both.

10 **SECTION 2865r.** 121.004 (7) (e) of the statutes is created to read:

11 121.004 (7) (e) A pupil attending public school under s. 118.145 (4) shall be
12 counted as the result obtained by dividing the number of hours of direct pupil
13 instruction scheduled for the pupil at the public school during the school year by the
14 number of hours of direct pupil instruction that the school district scheduled for a
15 pupil in the same grade during the school year.”.

16 **845.** Page 1310, line 23: after that line insert:

17 “**SECTION 2870d.** 121.02 (1) (m) of the statutes is amended to read:

18 121.02 (1) (m) Provide access to an education for employment program
19 approved by the ~~department~~ state superintendent. Beginning in the 1997-98 school
20 year, the program shall incorporate applied curricula; guidance and counseling
21 services under par. (e); technical preparation under s. 118.34; college preparation;
22 youth apprenticeship under s. 106.13 or other job training and work experience; and
23 instruction in skills relating to employment. The ~~department~~ state superintendent
24 shall assist school boards in complying with this paragraph.”.

1 **846.** Page 1312, line 7: after that line insert:

2 “**SECTION 2872gd.** 121.05 (1) (a) 11. of the statutes is created to read:

3 121.05 (1) (a) 11. Pupils residing in the school district but attending a public
4 school in another school district under s. 118.51.”.

5 **847.** Page 1312, line 7: after that line insert:

6 “**SECTION 2872g.** 121.05 (1) (a) 10. of the statutes is amended to read:

7 121.05 (1) (a) 10. Pupils attending a private school or agency under contract
8 with the school board under s. ~~119.235~~ 118.47.”.

9 **848.** Page 1312, line 7: after that line insert:

10 “**SECTION 2872gm.** 121.05 (1) (a) 12. of the statutes is created to read:

11 121.05 (1) (a) 12. Pupils attending public school under s. 118.145 (4).”.

12 **849.** Page 1313, line 19: after that line insert:

13 “**SECTION 2873k.** 121.07 (6) (a) (intro.) of the statutes is amended to read:

14 121.07 (6) (a) (intro.) “Shared cost” is the sum of the net cost of the general fund
15 and the net cost of the debt service fund, except that “shared cost” excludes any costs,
16 including attorney fees, incurred by a school district as a result of its participation
17 in a lawsuit commenced against the state, beginning with such costs incurred in the
18 fiscal year in which the lawsuit is commenced. In this paragraph, “net cost of the debt
19 service fund” includes ~~all of the following~~ the amounts under subs. 1. and 2. and
20 excludes the amount determined under subd. 3.:

21 **SECTION 2873L.** 121.07 (6) (a) 3. of the statutes is created to read:

22 121.07 (6) (a) 3. The amount determined as follows:

23 a. Divide the school district’s equalized valuation by its membership.

24 b. Divide the quotient under subd. 3. a. by \$1,100,000.

1 c. Multiply the quotient under subd. 3. b. or 1.0, whichever is less, by the
2 amount necessary to pay debt service on debt authorized by a referendum after July
3 1, 1997.”.

4 **850.** Page 1317, line 12: delete “amount appropriated under s. 20.255 (2) (cv)”
5 and substitute “amounts appropriated under s. 20.255 (2) (bi) and (cv)”.

6 **851.** Page 1317, line 13: after “districts” insert “, less the amount of any
7 revenue limit increase under s. 121.91 (4) (a) 2. due to a school board’s increasing the
8 services that it provides by adding responsibility for providing a service transferred
9 to it from another school board and less the amount of any revenue limit increase
10 under s. 121.91 (4) (a) 3”.

11 **852.** Page 1320, line 19: after that line insert:

12 “**SECTION 2882g.** 121.54 (2) (c) of the statutes is amended to read:

13 121.54 (2) (c) An annual or special meeting of a common or union high school
14 district, or the school board of a unified school district, may elect to provide
15 transportation for pupils who are not required to be transported under this section,
16 including pupils attending public school under s. 118.145 (4). Transportation may
17 be provided for all or some of the pupils who reside in the school district to and from
18 the public school they are entitled to attend or the private school, within or outside
19 the school district, within whose attendance area they reside. If transportation is
20 provided for less than all such pupils there shall be reasonable uniformity in the
21 minimum distance that pupils attending public and private schools will be
22 transported. Except for elementary school districts electing to furnish
23 transportation under par. (b) 2., this paragraph does not permit a school district

1 operating only elementary grades to provide transportation for pupils attending
2 private schools.”.

3 **853.** Page 1323, line 6: after that line insert:

4 “**SECTION 2883m.** 121.54 (10) of the statutes is created to read:

5 121.54 (10) FULL-TIME OPEN ENROLLMENT. Subject to s. 118.51 (14) (a) 2., a school
6 board may elect to provide transportation, including transportation to and from
7 summer classes, for nonresident pupils who are attending public school in the school
8 district under s. 118.51, or its resident pupils who are attending public school in
9 another school district under s. 118.51, or both, except that a school board may not
10 provide transportation under this subsection for a nonresident pupil to or from a
11 location within the boundaries of the school district in which the pupil resides.”.

12 **854.** Page 1323, line 23: after that line insert:

13 “**SECTION 2885g.** 121.58 (2) (a) of the statutes is amended to read:

14 121.58 (2) (a) A school district which provides transportation to and from a
15 school under ss. 121.54 (1) to (3), (5) and (6) and 121.57, and the nonresident school
16 district that a pupil attends under s. 118.51 which elects to provide transportation
17 under s. 121.54 (10), shall be paid state aid for such transportation at the rate of \$30
18 per school year per pupil so transported whose residence is at least 2 miles and not
19 more than 5 miles from the school attended, \$45 per school year per pupil so
20 transported whose residence is at least 5 miles and not more than 8 miles from the
21 school attended, \$60 per school year per pupil so transported whose residence is at
22 least 8 miles and not more than 12 miles from the school attended, \$68 per school year
23 per pupil so transported whose residence is at least 12 miles and not more than 15
24 miles from the school attended, \$75 per school year per pupil so transported whose

1 residence is at least 15 miles and not more than 18 miles from the school attended,
2 and \$85 per school year per pupil so transported whose residence is more than 18
3 miles from the school attended. Such state aid shall be reduced proportionately in
4 the case of a pupil transported for less than a full school year because of
5 nonenrollment. State aid for transportation shall not exceed the actual cost thereof.
6 No state aid of any kind may be paid to a school district which charges the pupil
7 transported or his or her parent or guardian any part of the cost of transportation
8 provided under ss. 121.54 (1) to (3), (5) ~~and~~, (6) and (10) and 121.57 or which wilfully
9 or negligently fails to transport all pupils for whom transportation is required under
10 s. 121.54.

11 **SECTION 2885r.** 121.58 (4) of the statutes is amended to read:

12 121.58 (4) STATE AID FOR SUMMER CLASS TRANSPORTATION. Annually on or before
13 October 1 of the year in which transportation is provided under s. 121.54 (4), or under
14 s. 121.54 (10) if the transportation is provided by the nonresident school district that
15 a pupil attends under s. 118.51, the school district clerk shall file with the
16 department a report, containing such information as the department requires, on
17 transportation provided by the school board to and from summer classes. Upon
18 receipt of such report and if the summer classes meet the requirements of s. 121.14
19 (1), state aid shall be paid for such transportation. A school district which provides
20 such transportation shall be paid state aid for such transportation at the rate of \$4
21 per pupil transported to and from public school whose residence is at least 2 miles
22 and not more than 5 miles by the nearest traveled route from the public school
23 attended, and \$6 per pupil transported to and from public school whose residence is
24 more than 5 miles by the nearest traveled route from the public school attended, if

1 the pupil is transported 30 days or more. The state aid shall be reduced
2 proportionately if the pupil is transported less than 30 days.”.

3 **855.** Page 1324, line 11: after that line insert:

4 “**SECTION 2888p.** 121.77 (1) of the statutes is amended to read:

5 121.77 (1) (a) Every elementary school and high school shall be free to all pupils
6 who reside in the school district.

7 (b) If facilities are adequate, a school board, board of control of a cooperative
8 educational service agency or county handicapped children’s education board may
9 admit nonresident pupils who meet its entrance requirements. Nonresident pupils
10 shall have all of the rights and privileges of resident pupils and shall be subject to
11 the same rules and regulations as resident pupils. The agency of service shall charge
12 tuition for each nonresident pupil.”.

13 **856.** Page 1324, line 20: after that line insert:

14 “**SECTION 2889s.** 121.77 (3) of the statutes is created to read:

15 121.77 (3) Subsections (1) (b) and (2) do not apply to a pupil attending a public
16 school in a nonresident school district under s. 118.51.”.

17 **857.** Page 1325, line 3: after that line insert:

18 “**SECTION 2891m.** 121.84 (1) (a) of the statutes is amended to read:

19 121.84 (1) (a) A school board ~~may~~ shall permit a pupil who is enrolled in a school
20 under its jurisdiction and is a resident of the school district at the beginning of the
21 school year to complete the school year at the school without payment of tuition, even
22 though the pupil is no longer a resident of the school district.”.

23 **858.** Page 1326, line 3: after “119.23” insert “, including pupils identified in
24 s. 121.05 (1) (a) 1. to 11”.

1 **859.** Page 1326, line 3: before the plain period insert “, except that “number
2 of pupils enrolled” excludes the number of pupils attending public school under s.
3 118.145 (4)”.

4 **860.** Page 1327, line 19: after that line insert:

5 “**SECTION 2902b.** 121.91 (3) (a) of the statutes is amended to read:

6 121.91 **(3)** (a) If a school board wishes to exceed the limit under sub. (1), (2) or
7 (2m) otherwise applicable to the school district in any school year, it shall promptly
8 adopt a resolution supporting inclusion in the final school district budget of an
9 amount equal to the proposed excess revenue. The resolution shall specify whether
10 the proposed excess revenue is for a recurring or nonrecurring purpose, or, if the
11 proposed excess revenue is for both recurring and nonrecurring purposes, the
12 amount of the proposed excess revenue for each purpose. The school board shall call
13 a special referendum in accordance with s. 8.065 for the purpose of submitting the
14 resolution to the electors of the school district for approval or rejection. ~~In lieu of a~~
15 ~~special referendum, the school board may specify that the referendum be held at the~~
16 ~~next succeeding spring primary or election or September primary or general election,~~
17 ~~if such election is, to be held not earlier~~ sooner than 35 days after the adoption of the
18 resolution of the school board.”.

19 **861.** Page 1328, line 8: delete “(a) of the statutes is” and substitute “(a) 1. and
20 2. of the statutes are”.

21 **862.** Page 1328, line 19: delete lines 19 to 23 and substitute:

22 “**SECTION 2902p.** 121.91 (4) (a) 3. of the statutes is repealed and recreated to
23 read:

1 121.91 (4) (a) 3. Notwithstanding subd. 2., if a school board increases the
2 services that it provides by adding responsibility for providing a service that is
3 transferred to it from another school board or from another state for a child with
4 exceptional educational needs, as defined in s. 115.76 (3), or for a limited-English
5 speaking pupil, as defined in s. 115.955 (7), the limit otherwise applicable under sub.
6 (2m) in the current school year is increased by an amount equal to the estimated cost
7 of providing the service less the estimated amount of aid that the school district will
8 receive for the child or pupil in the following school year under s. 115.88 (1) to (6) and
9 (8), 115.995 or 118.255, as determined by the state superintendent. A school board
10 that transfers or receives responsibility for providing a service under this
11 subdivision shall notify the state superintendent. A school board that transfers
12 responsibility for providing a service under this subdivision shall include an
13 estimate of the reduction in cost attributable to the transfer, even if that estimate is
14 zero.”.

15 **863.** Page 1331, line 9: after that line insert:

16 “**SECTION 2903rm.** 125.039 of the statutes is created to read:

17 **125.039 Civil liability exemption for retaining proofs of age.** No person
18 who holds a license or permit and no employe of such a person is civilly liable for
19 retaining a document presented as proof of age for a reasonable length of time in a
20 good faith effort to determine whether the person who presented the document is an
21 underage person or to notify a law enforcement authority of a suspected violation of
22 s. 125.085 (3) (a) or (b).”.

23 **864.** Page 1332, line 8: after that line insert:

24 “**SECTION 2905d.** 125.07 (4) (bs) 1. to 4. of the statutes are amended to read:

1 125.07 (4) (bs) 1. For a first violation, a forfeiture of not less than ~~\$250~~ \$300
2 nor more than ~~\$500~~ \$750, suspension of the person's operating privilege as provided
3 under s. 343.30 (6) (b) 1., participation in a supervised work program or other
4 community service work under par. (cg) or any combination of these penalties.

5 2. For a violation committed within 12 months of a previous violation, either
6 a forfeiture of not less than ~~\$300~~ \$400 nor more than ~~\$500~~ \$750, suspension of the
7 person's operating privilege as provided under s. 343.30 (6) (b) 2., participation in a
8 supervised work program or other community service work under par. (cg) or any
9 combination of these penalties.

10 3. For a violation committed within 12 months of 2 previous violations, either
11 a forfeiture of not less than ~~\$500~~ \$650 nor more than ~~\$750~~ \$1,000, revocation of the
12 person's operating privilege under s. 343.30 (6) (b) 3., participation in a supervised
13 work program or other community service work under par. (cg) or any combination
14 of these penalties.

15 4. For a violation committed within 12 months of 3 or more previous violations,
16 either a forfeiture of not less than ~~\$750~~ \$1,000 nor more than ~~\$1,000~~ \$1,250,
17 revocation of the person's operating privilege under s. 343.30 (6) (b) 3., participation
18 in a supervised work program or other community service work under par. (cg) or any
19 combination of these penalties.

20 **SECTION 2905g.** 125.085 (3) (a) 1. of the statutes is amended to read:

21 125.085 (3) (a) 1. No person may make, alter or duplicate an official
22 identification card, provide an official identification card to an underage person or
23 knowingly provide other documentation to an underage person purporting to show
24 that the underage person has attained the legal drinking age. No person may possess
25 an official identification card or other documentation used for proof of age with the

1 intent of providing it to an underage person. Except as provided in subds. 2. and 3.,
2 any person who violates this subdivision may be fined not less than \$100 ~~\$300~~ nor
3 more than ~~\$500~~ \$1,250 or imprisoned for not less than 10 days nor more than 30 days
4 or both.

5 **SECTION 2905m.** 125.085 (3) (bd) of the statutes is amended to read:

6 125.085 (3) (bd) Any underage person who violates par. (b) is subject to a
7 forfeiture of not less than \$100 ~~\$300~~ nor more than \$500 \$1,250, suspension of the
8 person's operating privilege under s. 343.30 (6) (bm), participation in a supervised
9 work program or other community service work under par. (bh) or any combination
10 of these penalties.”.

11 **865.** Page 1332, line 10: delete lines 10 to 21 and substitute:

12 “125.10 (1) AUTHORIZATION. Any municipality may enact regulations
13 incorporating any part of this chapter and may prescribe additional regulations for
14 the sale of alcohol beverages, not in conflict with this chapter. The municipality may
15 prescribe forfeitures or license suspension or revocation for violations of any such
16 regulations. Regulations providing forfeitures or license suspension or revocation
17 must be adopted by ordinance. No municipality may enact or enforce any regulation
18 relating to providing alcohol beverages to an underage or intoxicated person, to an
19 underage person's presence on premises or to an underage person's possession of
20 alcohol beverages unless the regulation strictly conforms with s. 125.07.”.

21 **866.** Page 1334, line 22: after that line insert:

22 “**SECTION 2906r.** 125.17 (1) of the statutes is amended to read:

23 125.17 (1) AUTHORIZATION. Every municipal governing body ~~may~~ shall issue
24 operators' licenses an operator's license to any applicant who is qualified under s.

1 125.04 (5). Operators' licenses may not be required other than for the purpose of
2 complying with ss. 125.32 (2) and 125.68 (2). Operators' licenses may be issued only
3 upon written application.”.

4 **867.** Page 1336, line 3: before “issued” insert “granted or”.

5 **868.** Page 1336, line 4: delete “July 1, 1997” and substitute “the first day of
6 the 2nd month beginning after the effective date of this subdivision [revisor
7 inserts date]”.

8 **869.** Page 1336, line 11: before “issued” insert “granted or”.

9 **870.** Page 1336, line 13: delete that line and substitute “on the first day of the
10 2nd month beginning after the effective date of this subdivision [revisor inserts
11 date]”.

12 **871.** Page 1336, line 22: delete “July 1, 1997” and substitute “the first day of
13 the 2nd month beginning after the effective date of this subdivision [revisor
14 inserts date]”.

15 **872.** Page 1337, line 2: delete “The” and substitute “1. Except as provided in
16 subd. 2., the”.

17 **873.** Page 1337, line 5: after that line insert:

18 “2. Notwithstanding subd. 1., if the difference between the number of licenses
19 determined under par. (b) 1g. and under par. (bm) 1. is 3 or fewer, the number of
20 reserve “Class B” licenses authorized to be issued by that municipality is the
21 difference between the number of licenses determined under par. (b) 1g. and under
22 par. (bm) 1.”.

23 **874.** Page 1337, line 7: before “issued” insert “granted or”.

1 **875.** Page 1337, line 13: after that line insert:

2 “**SECTION 2910e.** 134.67 (2) (a) (intro.) of the statutes is amended to read:

3 134.67 (2) (a) (intro.) In the event of the outbreak of an epidemic disease of
4 humans or animals spread by insects which it is known can be controlled by DDT but
5 cannot be adequately controlled by any other known pesticide, the ~~pesticide review~~
6 ~~board~~ department of agriculture, trade and consumer protection may authorize the
7 use of DDT in controlling the epidemic upon a finding that:

8 **SECTION 2910m.** 134.67 (2) (b) (intro.) of the statutes is amended to read:

9 134.67 (2) (b) (intro.) In the event of the outbreak of a plant disease of epidemic
10 proportions which threatens a significant portion of the affected crop and which is
11 caused or spread by an insect which it is known can be controlled by DDT but cannot
12 be adequately controlled by any other known pesticide, the ~~pesticide review board~~
13 department of agriculture, trade and consumer protection may authorize the use of
14 DDT in controlling the epidemic upon a finding that:

15 **SECTION 2910r.** 134.67 (2) (c) of the statutes is amended to read:

16 134.67 (2) (c) The ~~pesticide review board~~ department of agriculture, trade and
17 consumer protection also may authorize the use of DDT or its isomers or metabolites
18 for specified research by educational institutions if it finds that no ecologically
19 significant residues of DDT or its isomers or metabolites will be allowed to escape
20 into the environment.”.

21 **876.** Page 1338, line 4: after that line insert:

22 “**SECTION 2923p.** 138.09 (4a) of the statutes is repealed.”.

23 **877.** Page 1338, line 4: after that line insert:

1 “**SECTION 2923m.** 138.09 (3) (e) of the statutes is renumbered 138.09 (3) (e) 1.
2 (intro.) and amended to read:

3 138.09 (3) (e) 1. (intro.) ~~A~~ Except as provided in subd. 2., a licensee may
4 conduct, and permit others to conduct, at the location specified in its license, any one
5 or more of the following businesses not subject to this section:

6 a. A business engaged in making loans for business or agricultural purposes
7 or exceeding \$25,000 in principal amount, except that all such loans having terms
8 of 49 months or more are subject to sub. (7) (gm) 2. or 4., ~~a~~

9 b. A business engaged in making first lien real estate mortgage loans under ss.
10 138.051 to 138.06, ~~a.~~

11 c. A loan, finance or discount business under s. 218.01, ~~or an.~~

12 d. An insurance business, ~~or a.~~

13 e. A currency exchange under s. 218.05, ~~or a.~~

14 f. A seller of checks business under ch. 217; ~~but.~~

15 2. A licensee may not sell merchandise shall not be sold at such location; and
16 ~~no or conduct~~ other business shall be conducted at such at the location specified in
17 the license unless written authorization is granted to the licensee by the division.

18 **SECTION 2926e.** 138.10 (2) of the statutes is amended to read:

19 138.10 (2) MAXIMUM LOAN. ~~A~~ Unless made by a person licensed under s. 138.09,
20 a pawnbroker's loan shall may not exceed \$150.

21 **SECTION 2926m.** 138.10 (2m) of the statutes is created to read:

22 138.10 (2m) PAWNBROKING BY LICENSED LENDERS. The division of banking may
23 promulgate rules regulating the conduct of pawnbroking by persons licensed under
24 s. 138.09.

1 **139.09 Registration.** Every brewer, bottler, manufacturer, rectifier,
2 wholesaler or retailer liable for payment of the occupational tax imposed in ss. 139.01
3 to 139.25 shall ~~apply for~~ hold a valid certificate under s. 73.03 (50). The secretary
4 shall assign the person a registration number.”.

5 **881.** Page 1343, line 10: delete “30” and substitute “29.5”.

6 **882.** Page 1343, line 13: delete “60” and substitute “59”.

7 **883.** Page 1344, line 25: after that line insert:

8 “**SECTION 2962j.** 139.323 (intro.) of the statutes is amended to read:

9 **139.323 Refunds to Indian tribes.** (intro.) The department shall refund
10 ~~70%~~ 50%, unless this state and the tribe agree to a lower percentage, of the taxes
11 collected under s. 139.31 (1) in respect to sales on reservations or trust lands of an
12 Indian tribe to the tribal council of the tribe having jurisdiction over the reservation
13 or trust land on which the sale is made if all the following conditions are fulfilled:”.

14 **884.** Page 1348, line 8: delete lines 8 to 20 and substitute:

15 “**SECTION 2977c.** 139.81 (1) of the statutes is amended to read:

16 139.81 (1) No person may sell or take orders for tobacco products for resale in
17 this state for any manufacturer or permittee ~~without first obtaining~~ unless the
18 person has filed an application for and obtained a valid certificate under s. 73.03 (50)
19 and a salesperson’s permit from the department. No manufacturer or permittee
20 shall authorize any person to sell or take orders for tobacco products in this state
21 ~~without first having such person secure~~ unless the person has filed an application
22 for and obtained a valid certificate under s. 73.03 (50) and a salesperson’s permit.
23 The fee for the permit is \$2. Each application for a permit shall disclose the name
24 and address of the employer and shall remain effective only while the salesperson

1 represents the named employer. If the salesperson is thereafter employed by another
2 manufacturer or permittee the salesperson shall obtain a new salesperson's permit.
3 Each manufacturer and permittee shall notify the department within 10 days after
4 the resignation or dismissal of any salesperson holding a permit.”.

5 **885.** Page 1349, line 11: after that line insert:

6 “**SECTION 2980r.** Subchapter VI of chapter 139 [precedes 139.98] of the statutes
7 is created to read:

8 **CHAPTER 139**

9 **SUBCHAPTER VI**

10 **VENDING MACHINE PERMITS**

11 **139.98 Definitions.** In this subchapter:

12 (1) “Department” means the department of revenue.

13 (2) “Vending machine” means any self-service device offered for public use
14 that, upon insertion of a coin or token, or by other means, dispenses unit servings of
15 food or a beverage, either in bulk or in a package, without the necessity of
16 replenishing the device between each vending operation.

17 **139.981 Permit.** (1) No person may operate a vending machine unless that
18 person has applied to the department for a permit, paid the required fee and
19 displayed on the vending machine, in a manner that the department specifies, a
20 decal that the department provides and that is evidence that the permit fee has been
21 paid. The department may not issue a permit to any person who is delinquent in the
22 payment of any tax. Permits expire on January 1.

23 (2) The fee required under sub. (1) is \$65 for vending machines that are in
24 service at any time before July 1 plus \$1 if the machine is located in a county that

1 imposes a tax under subch. V of ch. 77 and \$31 for vending machines that are placed
2 in service on July 1 or later, except that the fee for vending machines that dispense
3 no food or beverage that costs more than 25 cents is \$10, regardless of the date on
4 which the vending machine is placed in service.

5 **139.982 Operating without a permit.** If a person who has not obtained the
6 necessary permit operates a vending machine:

7 (1) The department or the entity with which it has contracted shall seal the
8 vending machine and render it inoperative.

9 (2) The department or the entity with which it has contracted shall notify the
10 owner of the vending machine that the fee is due within 10 days and that its amount
11 is double the appropriate amount under s. 139.981 (2). If the department or the
12 entity with which it has contracted cannot determine the vending machine's owner,
13 it shall so notify the owner of the premises. The department or the entity with which
14 it has contracted shall remit 50% to the department of administration for deposit in
15 the general fund.

16 (3) If the owner of the vending machine does not pay a fee due under sub. (2),
17 the owner shall pay \$250 to the department or to the entity with which it has
18 contracted.

19 **139.983 Administration.** (1) The department shall administer, or contract
20 for administration of, the permit under this subchapter. The department of
21 administration shall credit to the appropriation under s. 20.566 (1) (ge) \$2 for each
22 \$10 permit and \$8 for each other permit that is issued during the year.

23 (2) Sections 77.52 (18) and 77.61 (5) and (12), as they apply to the taxes under
24 subch. III of ch. 77, apply to the fee under this subchapter.”.

1 (b) The department of revenue may issue a permit to a corporation or other
2 business entity only if all of the following requirements are fulfilled:

3 1. Subject to ss. 111.321, 111.322 and 111.335, neither the corporation or other
4 business entity nor any of its members or managers have been convicted of a felony
5 that is substantially related to the amusement device business unless the
6 corporation or other business entity has terminated its relationship with all the
7 natural persons whose actions directly contributed to the conviction.

8 2. The agent of the corporation or other business entity has been a resident of
9 this state continuously for at least 90 days prior to the date of application.

10 3. The corporation or other business entity has obtained a permit under s. 77.52
11 (9).

12 **(5) REVOCATION.** The department of revenue may revoke a permit issued under
13 this section after a hearing if the permittee does any of the following:

14 (a) Uses force, violence or threats of force or violence to obtain locations for
15 jukeboxes or amusement devices.

16 (b) Does not satisfy all of the requirements for a permit under this section.

17 **(6) WRITTEN DENIAL OR REVOCATION.** Any department of revenue denial of an
18 application for a permit issued under sub. (1) or order of revocation of the permit shall
19 be in writing and shall give the reasons for the denial or revocation. The denial or
20 revocation is subject to review under ch. 227.

21 **(7) PENALTY.** No person holding a permit issued under this section may engage
22 in the loan, use or forbearance of money, goods or things in action to any person who
23 owns or manages premises where a jukebox or amusement device may be set up. Any
24 person who violates this subsection shall be fined not more than \$10,000 or
25 imprisoned for not more than one year in the county jail or both. If the holder of a

1 permit issued under this section is convicted of a violation of this subsection, the
2 department of revenue shall revoke the permit.

3 (8) GENERAL PENALTY. A person who violates this section other than sub. (7) may
4 be fined not less than \$1,000 or imprisoned for not more than 9 months or both.

5 (9) SEIZURE. The department of revenue may seize any property for which a
6 permit is required under sub. (1) and for which no permit is issued.

7 (10) EXEMPTION. This section does not apply to persons holding cigarette
8 vending machine operators' permits under s. 139.34 (1) who do not lease or operate
9 jukeboxes or amusement devices.”.

10 **887.** Page 1349, line 11: after that line insert:

11 “SECTION 2981m. 145.02 (4) (a) of the statutes is amended to read:

12 145.02 (4) (a) The department shall prescribe rules as to the qualifications,
13 examination and licensing of master and journeyman plumbers and restricted
14 plumber licensees, for the licensing of utility contractors, for the registration of
15 plumbing apprentices and pipe layers and for the registration and training of
16 registered learners. ~~The plumbers council, created under s. 15.157 (6), shall advise~~
17 ~~the department in formulating the rules.”.~~

18 **888.** Page 1350, line 8: after that line insert:

19 “SECTION 2986g. 146.19 (3) of the statutes is repealed.”.

20 **889.** Page 1354, line 6: after that line insert:

21 “SECTION 3019c. 149.10 (8b) of the statutes is created to read:

22 149.10 (8b) “Plan administrator” means the fiscal agent specified in s. 149.16
23 (1).”.

1 **890.** Page 1355, line 7: delete “DISCOUNTED PAYMENT” and substitute
2 “PAYMENT”.

3 **891.** Page 1355, line 7: delete “A provider” and substitute “Except for
4 copayments, coinsurance or deductibles required or authorized under the plan, a
5 provider”.

6 **892.** Page 1355, line 9: delete “discounted reimbursement” and substitute
7 “payment”.

8 **893.** Page 1355, line 9: delete “(2) (a) 3. and (3)”.

9 **894.** Page 1355, line 12: delete “(2) (a) 3. or (3)”.

10 **895.** Page 1355, line 15: delete “, administrative and subsidy” and substitute
11 “and administrative”.

12 **896.** Page 1355, line 18: delete the material beginning with that line and
13 ending with page 1357, line 17, and substitute:

14 “1. A total of 60% from the following sources, calculated as follows:

15 a. First, from premiums from eligible persons with coverage under s. 149.14 set
16 at 150% of the rate that a standard risk would be charged under an individual policy
17 providing substantially the same coverage and deductibles as are provided under the
18 plan, including amounts received for premium and deductible subsidies under ss.
19 20.435 (5) (ah) and 149.144, and from premiums collected from eligible persons with
20 coverage under s. 149.146 set in accordance with s. 149.146 (2) (b).

21 b. Second, from the appropriation under s. 20.435 (5) (gh), to the extent that
22 the amounts under subd. 1. a. are insufficient to pay 60% of plan costs.

1 c. Third, by increasing premiums from eligible persons with coverage under s.
2 149.14 to more than 150% but not more than 200% of the rate that a standard risk
3 would be charged under an individual policy providing substantially the same
4 coverage and deductibles as are provided under the plan, including amounts received
5 for premium and deductible subsidies under ss. 20.435 (5) (ah) and 149.144, and by
6 increasing premiums from eligible persons with coverage under s. 149.146 in
7 accordance with s. 149.146 (2) (b), to the extent that the amounts under subd. 1. a.
8 and b. are insufficient to pay 60% of plan costs.

9 d. Fourth, notwithstanding subd. 2., by increasing insurer assessments,
10 excluding assessments under s. 149.144, and adjusting provider payment rates,
11 excluding adjustments to those rates under ss. 149.144 and 149.15 (3) (e), in equal
12 proportions and to the extent that the amounts under subd. 1. a. to c. are insufficient
13 to pay 60% of plan costs.

14 2. A total of 40% as follows:

15 a. Fifty percent from insurer assessments, excluding assessments under s.
16 149.144.

17 b. Fifty percent from adjustments to provider payment rates, excluding
18 adjustments to those rates under ss. 149.144 and 149.15 (3) (e).

19 **(2)** (a) Prior to each plan year, the department shall estimate the operating and
20 administrative costs of the plan and the costs of the premium reductions under s.
21 149.165 and the deductible reductions under s. 149.14 (5) (a) for the new plan year
22 and do all of the following:

23 1. a. Estimate the amount of enrollee premiums that would be received in the
24 new plan year if the enrollee premiums were set at a level sufficient, when including
25 amounts received for premium and deductible subsidies under ss. 20.435 (5) (ah) and

1 149.144 and from premiums collected from eligible persons with coverage under s.
2 149.146 set in accordance with s. 149.146 (2) (b), to cover 60% of the estimated plan
3 costs for the new plan year, after deducting from the estimated plan costs the amount
4 available in the appropriation under s. 20.435 (5) (af) for that plan year.

5 b. Estimate the amount of enrollee premiums that will be received under sub.
6 (1) (b) 1. a.

7 c. If the amount estimated to be received under subd. 1. a. is less than the
8 amount estimated to be received under subd. 1. b., direct the plan administrator to
9 provide to the department, prior to the beginning of the plan year and according to
10 procedures specified by the department, the amount of the difference. The
11 department shall deposit all amounts received under this subd. 1. c. in the
12 appropriation account under s. 20.435 (5) (gh).

13 2. After making the determinations under subd. 1., by rule set premium rates
14 for the new plan year, including the rates under s. 149.146 (2) (b), in the manner
15 specified in sub. (1) (b) 1. a. and c. and such that a rate for coverage under s. 149.14
16 is not less than 150% nor more than 200% of the rate that a standard risk would be
17 charged under an individual policy providing substantially the same coverage and
18 deductibles as are provided under the plan.

19 3. By rule set the total insurer assessments under s. 149.13 for the new plan
20 year by estimating and setting the assessments at the amount necessary to equal the
21 amounts specified in sub. (1) (b) 1. d. and 2. a. and notify the commissioner of the
22 amount.

23 4. By the same rule as under subd. 3. adjust the provider payment rate for the
24 new plan year by estimating and setting the rate at the level necessary to equal the
25 amounts specified in sub. (1) (b) 1. d. and 2. b. and as provided in s. 149.145.

1 (b) In setting the premium rates under par. (a) 2., the insurer assessment
2 amount under par. (a) 3. and the provider payment rate under par. (a) 4. for the new
3 plan year, the department shall include any increase or decrease necessary to reflect
4 the amount, if any, by which the rates and amount set under par. (a) for the current
5 plan year differed from the rates and amount which would have equaled the amounts
6 specified in sub. (1) (b) in the current plan year.

7 **(3)** (a) If, during a plan year, the department determines that the amounts
8 estimated to be received as a result of the rates and amount set under sub. (2) (a) 2.
9 to 4. and any adjustments in insurer assessments and the provider payment rate
10 under s. 149.144 will not be sufficient to cover plan costs, the department may by rule
11 increase the premium rates set under sub. (2) (a) 2. for the remainder of the plan year,
12 subject to s. 149.146 (2) (b) and the maximum specified in sub. (2) (a) 2., by rule
13 increase the assessments set under sub. (2) (a) 3. for the remainder of the plan year,
14 subject to sub. (1) (b) 2. a., and by the same rule under which assessments are
15 increased adjust the provider payment rate set under sub. (2) (a) 4. for the remainder
16 of the plan year, subject to sub. (1) (b) 2. b.

17 (b) If, after increasing premium rates and insurer assessments and adjusting
18 the provider payment rate under par. (a), the department determines that there will
19 still be a deficit and that premium rates have been increased to the maximum extent
20 allowable under par. (a), the department shall further adjust, in equal proportions,
21 assessments set under sub. (2) (a) 3. and the provider payment rate set under sub.
22 (2) (a) 4., without regard to sub. (1) (b) 2.

23 **(3m)** Subject to s. 149.14 (4m), insurers and providers may recover in the
24 normal course of their respective businesses without time limitation assessments or

1 provider payment rate adjustments used to recoup any deficit incurred under the
2 plan.”.

3 **897.** Page 1357, line 24: delete “discount” and substitute “payment”.

4 **898.** Page 1358, line 2: after that line insert:

5 “**SECTION 3026p.** 149.145 of the statutes is created to read:

6 **149.145 Program budget.** The department, in consultation with the board,
7 shall establish a program budget for each plan year. The program budget shall be
8 based on the provider payment rates specified in s. 149.15 (3) (e) and in the most
9 recent provider contracts that are in effect and on the funding sources specified in
10 s. 149.143 (1), including the methodologies specified in ss. 149.143, 149.144 and
11 149.146 for determining premium rates, insurer assessments and provider payment
12 rates. Except as otherwise provided in s. 149.143 (3) (a) and (b), from the program
13 budget the department shall derive the actual provider payment rate for a plan year
14 that reflects the providers’ proportional share of the plan costs, consistent with ss.
15 149.143 and 149.144.”.

16 **899.** Page 1358, line 6: after that line insert:

17 “**SECTION 3027r.** 149.15 (3) (f) of the statutes is created to read:

18 149.15 (3) (f) Advise the department on the choice of coverage under s.
19 149.146.”.

20 **900.** Page 1358, line 10: delete lines 10 and 11 and substitute:

21 “149.16 (1) The fiscal agent under s. 49.45 (2) (b) 2. shall administer the plan.

22 **SECTION 3031m.** 149.20 of the statutes is created to read:

23 **149.20 Rule-making in consultation with board.** In promulgating any
24 rules under this chapter, the department shall consult with the board.”.

1 **901.** Page 1372, line 7: after that line insert:

2 “**SECTION 3092c.** 165.08 of the statutes is amended to read:

3 **165.08 Power to compromise.** Any civil action prosecuted by the
4 department by direction of any officer, department, board or commission, shall be
5 compromised or discontinued when so directed by such officer, department, board or
6 commission. Any civil action prosecuted by the department on the initiative of the
7 attorney general, or at the request of any individual may be compromised or
8 discontinued with the approval of the governor, except that a civil action prosecuted
9 by the department under s. 165.251 may be compromised or discontinued only with
10 the approval of the person who requested legal representation from the department.

11 In any criminal action prosecuted by the attorney general, the department shall have
12 the same powers with reference to such action as are vested in district attorneys.”.

13 **902.** Page 1372, line 12: after that line insert:

14 “**SECTION 3094g.** 165.251 of the statutes is created to read:

15 **165.251 Actions to clear title. (1) DEFINITIONS.** In this section:

16 (a) “Family corporation” means a corporation qualifying under s. 182.001 (1)

17 (a).

18 (b) “Immediate family” means persons related as spouses, as siblings or as
19 parent and child.

20 (c) “Instrument relating to title” includes a deed, mortgage, lien, claim of lien,
21 judgment or lis pendens.

22 (d) “Local public office” has the meaning given in s. 19.42 (7w).

23 (e) “Public office” means local public office or state public office.

24 (f) “Public official” means a person holding a public office.

1 (g) "Qualifying property" means real property owned in whole or in part by a
2 public official, by a member of a public official's immediate family or by a family
3 corporation in which a public official is a shareholder during the period of time public
4 office was held.

5 (h) "State public office" has the meaning given in s. 19.42 (13).

6 **(2) REPRESENTATION UPON REQUEST.** The department of justice may provide legal
7 representation to any person who requests the legal representation and who does all
8 of the following:

9 (a) Claims that title to qualifying property has been clouded by the false,
10 fraudulent or frivolous filing, entry or recordation of any instrument relating to title
11 during the period the affected real property was qualifying property.

12 (b) Claims to be an owner in the qualifying property or a shareholder in a family
13 corporation, if any, that owns the qualifying property.

14 (c) Agrees to the conditional payment of the costs of legal representation under
15 sub. (5).

16 **(3) ACTIONS TO CLEAR TITLE.** If it decides to provide legal representation under
17 sub. (2), the department of justice shall bring the actions that are necessary to clear
18 clouds upon title to qualifying property from false, fraudulent or frivolous filings,
19 entries or recordations of instruments relating to title.

20 **(4) REQUIRED FINDING.** As part of any action brought under this section, the
21 court shall make a finding of whether the instrument relating to title that is claimed
22 to create a cloud upon the title was filed, entered or recorded with the authorization,
23 consent or approval of the owner of the qualifying property or of any creditor having
24 an interest in the qualifying property.

1 **(5) CONDITIONAL PAYMENT OF COSTS OF REPRESENTATION.** Each person making a
2 request under sub. (2) shall, as part of that request, agree to pay the costs of legal
3 representation provided by the department of justice, if the court makes a finding
4 under sub. (4) that the instrument relating to title was filed, entered or recorded with
5 the authorization, consent or approval of the owner of the qualifying property or of
6 any creditor having an interest in the qualifying property. If the court does not make
7 such a finding, the person may not be required to pay any of the costs of the legal
8 representation.

9 **(6) IF PAYMENT REQUIRED.** If, upon the completion of all proceedings, the person
10 who made the request under sub. (2) is subject to conditional payment of the costs
11 of legal representation provided by the department of justice under sub. (5), the
12 department of justice may charge the person an amount not exceeding the total cost
13 of the legal representation provided. All payments collected by the department
14 under this subsection shall be deposited in the general fund.

15 **(7) LIMITATION ON REPRESENTATION.** The department of justice may represent
16 persons under this section at the trial level only.”

17 **903.** Page 1374, line 10: after that line insert:

18 “**SECTION 3101g.** 165.80 of the statutes is amended to read:

19 **165.80 Cooperation with other state departments.** For the purpose of
20 coordinating the work of the crime laboratories with the research departments
21 located in the university of Wisconsin, the attorney general and the university of
22 Wisconsin may agree for the use of university laboratories and university physical
23 facilities and the exchange and utilization of personnel between the crime

1 laboratories and the university. ~~The university and crime laboratories cooperation~~
2 ~~council shall act in an advisory capacity to the attorney general.~~”.

3 **904.** Page 1374, line 10: after that line insert:

4 “**SECTION 3103j.** 165.83 (1) (c) of the statutes is renumbered 165.83 (1) (c)
5 (intro.) and amended to read:

6 165.83 (1) (c) (intro.) “Offense” means ~~an~~ any of the following:

7 1. An act which that is committed by a person who has attained the age of 17
8 and that is a felony; or a misdemeanor ~~or~~.

9 3. An act that is committed by any person and that is a violation of a city, county,
10 village or town ordinance.

11 **SECTION 3103k.** 165.83 (1) (c) 2. of the statutes is created to read:

12 165.83 (1) (c) 2. An act that is committed by a person who has attained the age
13 of 10 but who has not attained the age of 17 and that would be a felony or
14 misdemeanor if committed by an adult.

15 **SECTION 3103L.** 165.83 (2) (a) 1. of the statutes is amended to read:

16 165.83 (2) (a) 1. For an offense which is a felony or which would be a felony if
17 committed by an adult.

18 **SECTION 3103m.** 165.83 (2) (a) 2. of the statutes is amended to read:

19 165.83 (2) (a) 2. For an offense which is a misdemeanor, which would be a
20 misdemeanor if committed by an adult or which is a violation of an ordinance
21 ~~involving,~~ and the offense involves burglary tools, commercial gambling, dealing in
22 gambling devices, contributing to the delinquency of a child, dealing in stolen
23 property, controlled substances or controlled substance analogs under ch. 961,

1 firearms, dangerous weapons, explosives, pandering, prostitution, sex offenses
2 where children are victims, or worthless checks.

3 **SECTION 3103n.** 165.83 (2) (a) 3. of the statutes is amended to read:

4 165.83 (2) (a) 3. For an offense charged or alleged as disorderly conduct but
5 which relates to an act connected with one or more of the offenses under subd. 2.”.

6 **905.** Page 1374, line 10: after that line insert:

7 “**SECTION 3110m.** 165.85 (2) (f) of the statutes is amended to read:

8 165.85 (2) (f) “Secure detention officer” means any person employed by any
9 political subdivision of the state or by any private entity contracting under s. 938.222
10 to supervise, control or maintain a secure detention facility or the persons confined
11 in a secure detention facility. “Secure detention officer” includes officers regardless
12 of whether they have been sworn regarding their duties or whether they serve on a
13 full-time basis.”.

14 **906.** Page 1374, line 18: after that line insert:

15 “**SECTION 3116p.** 166.20 (1) (a) of the statutes is repealed.

16 **SECTION 3116r.** 166.20 (2) (intro.) of the statutes is amended to read:

17 166.20 (2) (title) DUTIES OF THE BOARD DIVISION. (intro.) The board division
18 shall:”.

19 **907.** Page 1374, line 22: after that line insert:

20 “**SECTION 3116tc.** 166.20 (4) (a) of the statutes is amended to read:

21 166.20 (4) (a) Upon receipt of a notification under sub. (5) (a) 2. or s. 292.11 (2)
22 of the release of a hazardous substance, provide all information contained in the
23 notification to the board division.

24 **SECTION 3116td.** 166.20 (4) (b) of the statutes is amended to read:

1 166.20 (4) (b) Have the same powers and duties at the time of a release of a
2 hazardous substance as are given to it under s. 292.11, including the investigation
3 of releases of hazardous substances, the repair of any environmental damage which
4 results from the release and the recovery of costs from responsible parties. The
5 department of natural resources may also, at the time of a release of a hazardous
6 substance, identify and recommend to the ~~board~~ division and the committee
7 measures to lessen or mitigate anticipated environmental damage resulting from the
8 release.

9 **SECTION 3116tf.** 166.20 (4m) of the statutes is amended to read:

10 166.20 (4m) COOPERATION. A state agency or local governmental unit may
11 assist the ~~board~~ division or a committee in the performance of its duties and may
12 enter into an agreement with the ~~board~~ division or a committee.

13 **SECTION 3116th.** 166.20 (5) (a) 2. of the statutes is amended to read:

14 166.20 (5) (a) 2. All facilities in this state covered under 42 USC 11004 shall
15 comply with the notification requirements of 42 USC 11004. Notification of the
16 department of natural resources of the discharge of a hazardous substance under s.
17 292.11 (2) shall constitute the notification of the ~~board~~ division required under 42
18 USC 11004 if the notification contains the information specified in 42 USC 11004 (b)
19 (2) or (c).

20 **SECTION 3116tm.** 166.20 (5) (a) 5. of the statutes is amended to read:

21 166.20 (5) (a) 5. The reporting procedures for trade secrets under 42 USC 11042
22 shall apply to all facilities in this state subject to the requirements under subd. 1.,
23 3. or 4. For the purposes of applying this subdivision to public agencies and private
24 agencies, the ~~board~~ division shall have the powers and duties granted to the
25 administrator of the U.S. environmental protection agency under 42 USC 11042.

1 **SECTION 3116ts.** 166.20 (5m) of the statutes is amended to read:

2 166.20 (5m) FURNISHING INFORMATION. If the board division or a committee
3 requests, in writing, information relating to the federal act or to this section, a facility
4 shall furnish the information in the manner requested.”.

5 **908.** Page 1375, line 3: after that line insert:

6 “**SECTION 3117bg.** 166.20 (7) (a) (intro.) of the statutes, as affected by 1997
7 Wisconsin Act (this act), is repealed and recreated to read:

8 166.20 (7) (a) (intro.) The division shall establish, by rule, the following fees at
9 levels designed to fund the division’s administrative expenses and the grants under
10 s. 166.21:

11 **SECTION 3117bm.** 166.20 (7) (b) of the statutes is amended to read:

12 166.20 (7) (b) The operator of a facility subject to the requirements of sub. (5)
13 (a) 1. or 3. shall pay the fees under par. (a). The board division may establish, by rule,
14 a surcharge to be paid by the operator of a facility if the operator fails to pay the fees
15 under par. (a) in a timely manner. The surcharge under this paragraph shall not
16 exceed 20% of the original fee.

17 **SECTION 3117bp.** 166.20 (7g) (a) of the statutes is amended to read:

18 166.20 (7g) (a) The board division shall establish, by rule, fees to be paid
19 annually to the department of transportation by persons that are required to file
20 hazardous materials transportation registration statements with the federal
21 department of transportation under 49 USC Appendix 1805 (c).

22 **SECTION 3117br.** 166.20 (7g) (e) of the statutes is amended to read:

23 166.20 (7g) (e) The board division may, by rule, establish exemptions from the
24 fees under par. (a).

1 **SECTION 3117bt.** 166.20 (7m) (a) of the statutes is amended to read:

2 166.20 **(7m)** (a) An authorized inspector of the ~~board~~ division or the committee
3 for the county in which a facility is located may enter and inspect any facility or any
4 pertinent record relating to the facility at any reasonable time for the purpose of
5 determining whether the facility is complying with this section and rules
6 promulgated under this section. The ~~board~~ division or committee, if requested, shall
7 furnish to the operator of the facility a report setting forth all facts found which relate
8 to compliance with this section and rules promulgated under this section.

9 **SECTION 3117bu.** 166.20 (7m) (b) of the statutes is amended to read:

10 166.20 **(7m)** (b) The ~~board~~ division shall promulgate rules to specify how the
11 ~~board~~ division or a committee may authorize inspectors for the purposes of par. (a).
12 The rules shall include requirements for experience or training of individuals
13 authorized to conduct inspections.

14 **SECTION 3117bw.** 166.20 (8) (a) of the statutes is amended to read:

15 166.20 **(8)** (a) The department of justice, at its own discretion or at the request
16 of the ~~board~~ division or the committee or district attorney for the county in which the
17 violation is alleged to have occurred, shall enforce subs. (2) to (7) and rules
18 promulgated under subs. (2) to (7). In any action commenced under this paragraph,
19 the department of justice may request the assistance of the district attorney for the
20 county in which the violation is alleged to have occurred and the district attorney
21 shall provide the requested assistance.

22 **SECTION 3117cd.** 166.20 (9) (a) 1. c. of the statutes is amended to read:

23 166.20 **(9)** (a) 1. c. The ~~board~~ division for failure to render a decision in response
24 to a petition under 42 USC 11042 (d), as applied under sub. (5) (a) 5., within 9 months
25 after receipt of the petition.

1 **SECTION 3117cf.** 166.20 (9) (a) 1. d. of the statutes is amended to read:

2 166.20 (9) (a) 1. d. The board division for failure to provide a mechanism for
3 public availability of information in accordance with 42 USC 11044 (a), as applied
4 under sub. (2) (a).

5 **SECTION 3117ch.** 166.20 (9) (a) 1. e. of the statutes is amended to read:

6 166.20 (9) (a) 1. e. The board division for failure to respond to a request for
7 information under 42 USC 11022 (e) (3), as applied under sub. (2) (a).

8 **SECTION 3117cj.** 166.20 (9) (a) 2. (intro.) of the statutes is amended to read:

9 166.20 (9) (a) 2. (intro.) The board division or any county, city, village or town
10 may commence a civil action against any person for failure to do any of the following:

11 **SECTION 3117ck.** 166.20 (9) (a) 2. a. of the statutes is amended to read:

12 166.20 (9) (a) 2. a. Provide notification to the board division under 42 USC
13 11002 (c), as applied under sub. (5) (a) 1.

14 **SECTION 3117cm.** 166.20 (9) (a) 3. of the statutes is amended to read:

15 166.20 (9) (a) 3. The board division or any committee may commence an action
16 against any person for failure to provide the information required under 42 USC
17 11003 (d), as applied under sub. (5) (a) 1. or any information required under 42 USC
18 11022 (e) (1), as applied under sub. (5) (a) 3.

19 **SECTION 3117cp.** 166.20 (9) (b) 1. (intro.) of the statutes is amended to read:

20 166.20 (9) (b) 1. (intro.) No action may be commenced against any person other
21 than the board division under this subsection under any of the following
22 circumstances:

23 **SECTION 3117cq.** 166.20 (9) (b) 1. a. of the statutes is amended to read:

24 166.20 (9) (b) 1. a. If fewer than 60 days have elapsed since the plaintiff gave
25 notice of the alleged violation to the board division and to the alleged violator.

1 **SECTION 3117cr.** 166.20 (9) (b) 2. of the statutes is amended to read:

2 166.20 (9) (b) 2. No action may be commenced against the board division under
3 this subsection if fewer than 60 days have elapsed since the plaintiff gave notice of
4 the action to the board division.

5 **SECTION 3117ct.** 166.20 (11) (dg) of the statutes is amended to read:

6 166.20 (11) (dg) Except as provided in this paragraph, any person who
7 negligently makes a false statement or representation in any document provided by
8 the operator of a facility or required to be maintained by the operator of a facility
9 under the federal act, this section or rules promulgated under this section shall
10 forfeit not less than \$100 nor more than \$25,000. This penalty does not apply to the
11 board division, a committee or a member of the board division or a committee.

12 **SECTION 3117cw.** 166.21 (1) (b) of the statutes is amended to read:

13 166.21 (1) (b) Any committee may apply annually to the board division for an
14 emergency planning grant. Applications shall be made in the manner specified by
15 the board division.”.

16 **909.** Page 1375, line 10: after that line insert:

17 “**SECTION 3117g.** 166.21 (2) (e) of the statutes is amended to read:

18 166.21 (2) (e) The portion of a previous year’s costs that was approved by the
19 board division but not paid because of insufficient funds.”.

20 **910.** Page 1375, line 15: after that line insert:

21 “**SECTION 3117kc.** 166.21 (2m) (intro.) of the statutes, as affected by 1997
22 Wisconsin Act (this act), is repealed and recreated to read:

23 166.21 (2m) STRATEGIC PLAN. (intro.) A committee is eligible for grant funds
24 under sub. (2) (br) for emergency response equipment only if it submits to the division

1 a strategic plan for emergency response to hazardous substance releases that
2 includes all of the following:

3 **SECTION 3117ke.** 166.21 (3) (a) 1. of the statutes is amended to read:

4 166.21 (3) (a) 1. The costs of each new facility plan completed by the committee
5 and approved by the board division in the period covered by the grant.

6 **SECTION 3117kf.** 166.21 (3) (a) 3. of the statutes is amended to read:

7 166.21 (3) (a) 3. The portion of a previous year's costs that was approved by the
8 board division but not paid because of insufficient funds.

9 **SECTION 3117kj.** 166.21 (3) (b) of the statutes is amended to read:

10 166.21 (3) (b) The board division shall reduce the grant amount calculated
11 under par. (a) by the amount of any other gifts or grants received by the committee
12 in the period covered by the grant for costs incurred by the committee related to sub.
13 (2).

14 **SECTION 3117km.** 166.21 (3) (c) of the statutes is amended to read:

15 166.21 (3) (c) Notwithstanding sub. (2), the board division shall deny that
16 portion of a grant calculated under par. (a) 2. if the board division determines that
17 the committee has failed to meet grant obligations, including the development,
18 review, exercise or implementation of local emergency response plans as required
19 under s. 166.20 or the federal act.

20 **SECTION 3117kp.** 166.21 (3) (e) of the statutes is amended to read:

21 166.21 (3) (e) Annually, the board division shall establish a formula to
22 determine the amount of emergency planning grant funds available to each county.

23 **SECTION 3117kr.** 166.21 (4) of the statutes is amended to read:

24 166.21 (4) PAYMENT OF GRANTS. Annually, the board division shall review all
25 applications received under this section and make grants to committees from the

1 appropriations under s. 20.465 (3) (jm) and (r). If insufficient funds are available to
2 pay all approved grants, the ~~board~~ division shall prorate the available funds among
3 the eligible applicants in proportion to the approved grant amounts. A prorated
4 payment shall be deemed full payment of the grant.

5 **SECTION 3117ks.** 166.21 (5) of the statutes is amended to read:

6 166.21 (5) PAYMENT IN ADVANCE. (a) The ~~board~~ division may pay a portion of a
7 grant before the end of the period covered by the grant if a committee requests the
8 advance payment and if the ~~board~~ division determines that the necessary funds are
9 available and that the advance payment will not result in insufficient funds to pay
10 other grants.

11 (b) The ~~board~~ division may pay an amount up to 50% of anticipated eligible
12 costs covered by a grant up to 12 months before the end of the period covered by the
13 grant. The ~~board~~ division may pay an additional amount up to 25% of anticipated
14 eligible costs up to 6 months before the end of the period covered by the grant. The
15 ~~board~~ division shall determine anticipated eligible costs from a budget submitted by
16 the committee at the time that the committee requests payment in advance.

17 (c) If a committee receives advance payments under this subsection which
18 exceed the total grant amount calculated under sub. (3), the ~~board~~ division shall
19 subtract the amount of the overpayment from the amount of a grant paid to that
20 committee in the next year that the committee receives a grant.”.

21 **911.** Page 1376, line 3: after that line insert:

22 “**SECTION 3117mc.** 166.215 (1) of the statutes, as affected by 1997 Wisconsin
23 Act (this act), is repealed and recreated to read:

1 166.215 (1) The division shall contract with no fewer than 7 and no more than
2 9 regional emergency response teams, each of which will assist in the emergency
3 response to level A releases in a region of this state designated by the division. The
4 division shall contract with at least one regional emergency response team in each
5 area designated under s. 166.03 (2) (b) 1. The division may only contract with a local
6 agency, as defined in s. 166.22 (1) (c), under this subsection. A member of a regional
7 emergency response team shall meet the standards for a hazardous materials
8 specialist in 29 CFR 1910.120 (q) (6) (iv) and national fire protection association
9 standards NFPA 471 and 472. Payments to regional emergency response teams
10 under this subsection shall be made from the appropriation account under s. 20.465
11 (3) (dd).”.

12 **912.** Page 1376, line 14: after that line insert:

13 “**SECTION 3117qh.** 166.215 (2) of the statutes, as affected by 1997 Wisconsin Act
14 (this act), is repealed and recreated to read:

15 166.215 (2) The division shall reimburse a regional emergency response team
16 for costs incurred by the team in responding to a level A release under sub. (1).
17 Reimbursement under this subsection is limited to amounts collected under sub. (3)
18 and the amounts appropriated under s. 20.465 (3) (dr). Reimbursement is available
19 under s. 20.465 (3) (dr) only if the regional emergency response team has made a good
20 faith effort to identify the person responsible under sub. (3) and that person cannot
21 be identified, or, if that person is identified, the team has received reimbursement
22 from that person to the extent that the person is financially able or has determined
23 that the person does not have adequate money or other resources to reimburse the
24 regional emergency response team.

1 **SECTION 3117qm.** 166.215 (3) of the statutes is amended to read:

2 166.215 (3) A person who possessed or controlled a hazardous substance that
3 was released or who caused the release of a hazardous substance shall reimburse the
4 board division for costs incurred by a regional emergency response team in
5 responding to the release under sub. (1).”

6 **913.** Page 1377, line 20: after that line insert:

7 “**SECTION 3117w.** 166.22 (3m) of the statutes, as affected by 1997 Wisconsin Act
8 (this act), is repealed and recreated to read:

9 166.22 (3m) The division shall reimburse a local emergency response team for
10 costs incurred by the team in responding to a hazardous substance discharge under
11 sub. (3). Reimbursement under this subsection is limited to the amount
12 appropriated under s. 20.465 (3) (dr). Reimbursement is available under s. 20.465
13 (3) (dr) only if the local emergency response team has made a good faith effort to
14 identify the person responsible under sub. (4) and that person cannot be identified,
15 or, if that person is identified, the team has received reimbursement from that person
16 to the extent that the person is financially able or has determined that the person
17 does not have adequate money or other resources to reimburse the local emergency
18 response team.”

19 **914.** Page 1381, line 13: after that line insert:

20 “**SECTION 3121c.** 168.12 (7) of the statutes is amended to read:

21 168.12 (7) No person may ship petroleum products into this state unless that
22 person has a valid certificate under s. 73.03 (50) and either has a license under s.
23 78.09 or obtains a petroleum products shipper license from the department of
24 revenue by filing with that department an application prescribed and furnished by

1 that department and verified by the owner of the business if the owner is an
2 individual, by a member if the owner is an unincorporated association, by a partner
3 if the owner is a partnership or by the president and secretary if the owner is a
4 corporation.”.

5 **915.** Page 1400, line 3: delete lines 3 to 15 and substitute:

6 “**SECTION 3133c.** 185.981 (4t) of the statutes, as affected by 1995 Wisconsin Act
7 289, is amended to read:

8 185.981 (4t) A sickness care plan operated by a cooperative association is
9 subject to ss. 252.14, 631.89, 632.72 (2), 632.745, ~~632.747~~, to 632.749, 632.87 (2m),
10 (3), (4) and (5), 632.895 (10) and 632.897 (10) and ch. 155.

11 **SECTION 3133m.** 185.981 (4t) of the statutes, as affected by 1997 Wisconsin Act
12 (this act), is amended to read:

13 185.981 (4t) A sickness care plan operated by a cooperative association is
14 subject to ss. 252.14, 631.89, 632.72 (2), 632.745 to 632.749, 632.87 (2m), (3), (4) and
15 (5), 632.895 (10) to (13) and 632.897 (10) and ~~ch.~~ chs. 149 and 155.

16 **SECTION 3134c.** 185.983 (1) (intro.) of the statutes, as affected by 1995
17 Wisconsin Act 289, is amended to read:

18 185.983 (1) (intro.) Every such voluntary nonprofit sickness care plan shall be
19 exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41,
20 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.89, 631.93, 632.72
21 (2), 632.745, ~~632.747~~, to 632.749, 632.775, 632.79, 632.795, 632.87 (2m), (3), (4) and
22 (5), 632.895 (5), (9) and (10), 632.896 and 632.897 (10), subch. II of ch. 619 and chs.
23 609, 630, 635, 645 and 646, but the sponsoring association shall:

1 **SECTION 3134mi.** 185.983 (1) (intro.) of the statutes, as affected by 1997
2 Wisconsin Act (this act), is amended to read:

3 185.983 (1) (intro.) Every such voluntary nonprofit sickness care plan shall be
4 exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41,
5 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.89, 631.93, 632.72
6 (2), 632.745 to 632.749, 632.775, 632.79, 632.795, 632.87 (2m), (3), (4) and (5),
7 632.895 (5), ~~(9) and (10)~~ and (9) to (13), 632.896 and 632.897 (10), ~~subch. II of ch. 619~~
8 and chs. 609, 630, 635, 645 and 646, but the sponsoring association shall.”

9 **916.** Page 1400, line 15: after that line insert:

10 “**SECTION 3134m.** 196.04 (4) of the statutes is amended to read:

11 196.04 (4) If the parties cannot agree and the commission finds that public
12 convenience and necessity or the rendition of reasonably adequate service to the
13 public requires that a public utility ~~or~~, telecommunications provider or cable
14 operator, as defined in s. 66.082 (2) (b), be permitted to extend its lines on, over or
15 under the right-of-way of any railroad, or requires that the tracks of any railroad
16 be extended on, over or under the right-of-way of any public utility ~~or~~,
17 telecommunications provider or cable operator, the commission may order the
18 extension by the public utility, telecommunications provider, cable operator or
19 railroad on, over or under the right-of-way of the other if it will not materially impair
20 the ability of the railroad, telecommunications provider, cable operator or public
21 utility, on, over or under whose right-of-way the extension would be made, to serve
22 the public. The commission shall prescribe lawful conditions and compensation
23 which the commission deems equitable and reasonable in light of all the
24 circumstances.”

1 **917.** Page 1404, line 3: after that line insert:

2 “2m. “Private school” has the meaning given in s. 115.001 (3r).”.

3 **918.** Page 1404, line 7: after “school districts,” insert “private schools,”.

4 **919.** Page 1404, line 10: on lines 10, 17 and 24, after “school district,” insert
5 “private school,”.

6 **920.** Page 1405, line 1: on lines 1 and 3, after “school district,” insert “private
7 school,”.

8 **921.** Page 1405, line 4: after “(b)” insert “, except that the charge may not
9 exceed \$100 per month for each data line or video link that relies on a transport
10 medium that operates at a speed of 1.544 megabits per second”.

11 **922.** Page 1405, line 13: after “districts,” insert “private schools,”.

12 **923.** Page 1408, line 4: after “person” insert “shows to the satisfaction of the
13 commission that the person”.

14 **924.** Page 1409, line 4: after that line insert:

15 “**SECTION 3158g.** 196.85 (1m) of the statutes is renumbered 196.85 (1m) (a).

16 **SECTION 3158r.** 196.85 (1m) (b) of the statutes is created to read:

17 196.85 (1m) (b) For the purpose of direct assessment under sub. (1) of expenses
18 incurred by the commission in connection with its activities under s. 196.04 (4), the
19 term “public utility” includes a cable operator, as defined in s. 66.082 (2) (b).”.

20 **925.** Page 1409, line 16: after that line insert:

21 “**SECTION 5161m.** 197.04 (1) and (2) of the statutes are amended to read:

22 197.04 (1) Any municipality having determined to acquire an existing plant or
23 any part of the equipment of a public utility may discontinue all proceedings to that

1 end at any time within 90 days after the final determination of compensation by the
2 commission, by a vote of the electors as herein provided, or by a resolution to that
3 effect by its municipal council, provided that such resolution shall not be of force and
4 effect until 90 days after its passage and publication. If within either of said 90-day
5 periods a petition conforming to the requirements of s. 8.40 shall be filed with the
6 clerk of such municipality, in a city of the first class signed by 5% and in all other
7 municipalities by 10% of the electors thereof, requesting that the question of
8 discontinuing said proceeding to acquire such plant or equipment be submitted to the
9 electors, such question shall be submitted to the said electors at ~~any general or~~
10 ~~regular municipal~~ the succeeding election authorized under s. 8.065 (2) or an election
11 authorized under s. 8.065 (3) that may be is held not less than 30, and not more than
12 35, days from the date of the filing of the petition; and if no general election or regular
13 municipal election is to be held within the stated periods, then the governing body
14 of the municipality shall order the holding of a special election for the purpose of
15 submitting to the electors in case. If the petition is filed before the adoption of such
16 resolution the question submitted shall be whether said proceedings shall be
17 discontinued, and ~~in case~~ if the petition is filed after the adoption of said resolution
18 the question submitted shall be whether the aforesaid resolution shall remain in
19 effect and its adoption be ratified, and such resolution shall not have force or effect
20 unless a majority of the electors voting on such question shall be in favor thereof.

21 (2) The municipal council may provide for the notice, the manner of holding
22 such election and the method of voting thereon and of making returns thereof and
23 the canvassing and determining of the result thereof; provided, that notice of the
24 submission of the question contemplated herein to the electors shall be given by a
25 brief notice of that fact once a week for three weeks in some newspaper of general

1 circulation published in the municipality, and if there be no such newspaper then
2 publication may be made in any newspaper of general circulation in the county seat
3 of the county wherein the municipality is located. ~~The notice of holding any special~~
4 ~~election shall be incorporated as a part of the aforesaid notice.~~

5 **SECTION 3161p.** 197.10 (2) of the statutes is amended to read:

6 197.10 (2) Such contract when adopted by the common council of said city and
7 accepted by the owner or owners of such public utility shall be submitted to the public
8 service commission for its approval and upon such approval the same shall be
9 submitted in such manner as the common council shall determine to a vote of the
10 electors of such city at the next regular municipal election ~~or at a special election~~
11 ~~called for that purpose~~ authorized under s. 8.065 (2) or an election authorized under
12 s. 8.065 (3) to be held not sooner than 45 days after approval of the commission, and
13 such contract shall not become binding upon such city until approved by a majority
14 vote of the qualified electors of such city voting thereon. No bonds shall in any case
15 be issued by said city under the contract or contracts mentioned in sub. (1), until the
16 proposition of their issue shall have been submitted to the people of such city and
17 adopted by a majority of the electors voting thereon.”.

18 **926.** Page 1410, line 2: after that line insert:

19 “**SECTION 3165m.** 198.19 (1) of the statutes is amended to read:

20 198.19 (1) Any territory, constituting one or more municipalities contiguous to
21 a district may be annexed to and become a part of such district to all intents and
22 purposes and with like effect as though originally included therein upon such terms
23 and conditions as the board of directors of the district shall fix by ordinance adopted
24 by the affirmative vote of two-thirds of the directors-elect, provided that before such

1 ordinance becomes effective the same shall be accepted and ratified by the
2 affirmative vote of a majority of the qualified electors entitled to vote and voting in
3 a ~~special election referendum~~ referendum called and held for that purpose, in accordance with
4 s. 8.065, in each municipality proposed in such ordinance to be annexed to the
5 district. Such ordinance shall be published and such election shall be noticed, held
6 and conducted, as nearly as may be, in the manner provided by this chapter for the
7 noticing, holding and conduct of elections upon the organization of a municipal power
8 district, except that the returns of such election and the ballots therein shall be
9 delivered to the clerk of the district. The results of said election shall be canvassed
10 publicly by the directors of the district.”.

11 **927.** Page 1411, line 2: after that line insert:

12 “**SECTION 3183g.** 217.13 of the statutes is amended to read:

13 **217.13** (title) **Other statutes statute applicable.** Sections ~~220.037~~ and
14 Section 220.06 apply applies to this chapter.

15 **SECTION 3183r.** 218.01 (3) (g) of the statutes is amended to read:

16 218.01 (3) (g) Any person in interest aggrieved by a decision of the division of
17 hearings and appeals or an order of the division of banking may have a review thereof
18 as provided in ch. 227 ~~or aggrieved by an order of the division of banking may have~~
19 ~~a review thereof as provided in s. 220.037.”.~~

20 **928.** Page 1411, line 12: after that line insert:

21 “**SECTION 3200b.** 218.02 (9) (a) of the statutes is amended to read:

22 218.02 (9) (a) The division may make such rules and require such reports as
23 the division deems necessary for the enforcement of this section. Sections 217.17,
24 217.18 and 217.21 (1) and (2) apply to and are available for the purposes of this

1 section. ~~Orders of the division under this section are subject to review by the~~
2 ~~consumer credit review board under s. 220.037.~~

3 **SECTION 3209b.** 218.04 (9) of the statutes is repealed.

4 **SECTION 3220b.** 218.05 (13) of the statutes is repealed.”.

5 **929.** Page 1412, line 2: after that line insert:

6 “**SECTION 3254eb.** 220.02 (5) of the statutes is amended to read:

7 220.02 (5) ~~Except as otherwise provided in s. 220.037~~ for acts and decisions of
8 the division under chs. 138, 217 and 218, any interested person or any bank or
9 banking corporation aggrieved by an act, order or determination of the division may,
10 within 10 days from the date thereof, apply to the banking review board to review
11 the same. All such applications for review shall be considered and disposed of as
12 speedily as possible. The banking review board may require the division to submit
13 any of the division’s actions subject to such review to said board for its approval.

14 **SECTION 3254ec.** 220.035 (1) (a) of the statutes is amended to read:

15 220.035 (1) (a) The banking review board shall advise the division and others
16 in respect to improvement in the condition and service of banks and banking
17 business in this state and shall review the acts and decisions of the division with
18 respect to banks, ~~except for such acts and decisions subject to review under s. 220.037~~
19 of the division under chs. 138, 217 and 218, and shall perform such other review
20 functions in relation to banking as are provided by law. The banking review board
21 may require the division to submit any of the division’s actions to it for its approval.
22 The board may make rules of procedure as provided in ch. 227.

23 **SECTION 3254ed.** 220.037 of the statutes is repealed.”.

24 **930.** Page 1416, line 19: after that line insert:

1 “**SECTION 3282b.** 227.52 of the statutes, as affected by 1997 Wisconsin Act 3,
2 is renumbered 227.52 (intro.) and amended to read:

3 **227.52 Judicial review; decisions reviewable.** (intro.) Administrative
4 decisions which adversely affect the substantial interests of any person, whether by
5 action or inaction, whether affirmative or negative in form, are subject to review as
6 provided in this chapter, ~~except for the decisions~~ as otherwise provided by law and
7 except for the following:

8 (1) Decisions of the department of revenue other than decisions relating to
9 alcohol beverage permits issued under ch. 125, ~~decisions.~~

10 (2) Decisions of the department of employe trust funds,.

11 (3) Those decisions of the division of banking, that are subject to review, prior
12 to any judicial review, by the banking review board.

13 (4) Decisions of the office of credit unions,.

14 (5) Decisions of the division of savings and loan,.

15 (6) Decisions of the chairperson of the elections board of state canvassers and
16 ~~those.~~

17 (7) Those decisions of the department of workforce development which are
18 subject to review, prior to any judicial review, by the labor and industry review
19 commission, ~~and except as otherwise provided by law.~~

20 **SECTION 3282d.** 227.53 (1) (a) 1. of the statutes is amended to read:

21 227.53 (1) (a) 1. Proceedings for review shall be instituted by serving a petition
22 therefor personally or by certified mail upon the agency or one of its officials, and
23 filing the petition in the office of the clerk of the circuit court for the county where
24 the judicial review proceedings are to be held. If the agency whose decision is sought
25 to be reviewed is the tax appeals commission, the banking review board, ~~the~~

1 ~~consumer credit review board~~, the credit union review board, the savings and loan
2 review board or the savings bank review board, the petition shall be served upon both
3 the agency whose decision is sought to be reviewed and the corresponding named
4 respondent, as specified under par. (b) 1. to 5.

5 **SECTION 3282g.** 227.53 (1) (b) 2. of the statutes is amended to read:

6 227.53 (1) (b) 2. The banking review board ~~or the consumer credit review board~~,
7 the division of banking.

8 **SECTION 3282r.** 227.53 (1) (d) of the statutes is amended to read:

9 227.53 (1) (d) The agency (except in the case of the tax appeals commission and
10 the banking review board, ~~the consumer credit review board~~, the credit union review
11 board, the savings and loan review board and the savings bank review board) and
12 all parties to the proceeding before it, shall have the right to participate in the
13 proceedings for review. The court may permit other interested persons to intervene.
14 Any person petitioning the court to intervene shall serve a copy of the petition on each
15 party who appeared before the agency and any additional parties to the judicial
16 review at least 5 days prior to the date set for hearing on the petition.”.

17 **931.** Page 1416, line 19: after that line insert:

18 “**SECTION 3281zm.** 227.487 of the statutes is created to read:

19 **227.487 Frivolous actions.** (1) (a) If a petition for a declaratory ruling under
20 s. 227.41, a request for a hearing under s. 227.42 or a petition for a rehearing under
21 s. 227.49 (1) is found by an agency to be frivolous, the agency may assess a forfeiture
22 of not more than \$2,500 against the person or the person’s attorney who made the
23 petition or request. In assessing the forfeiture against the person or the person’s

1 attorney, the agency may assess the forfeiture in such a manner that the person and
2 the person's attorney each pay a portion of the forfeiture.

3 (b) If any application, pleading, motion, request or other action that relates to
4 a contested case is found by a hearing examiner to be frivolous, the hearing examiner
5 may assess a forfeiture of not more than \$2,500 against the person or the person's
6 attorney who made the application, pleading, motion, request or other action. In
7 assessing the forfeiture against the person or the person's attorney, the hearing
8 examiner may assess the forfeiture in such a manner that the person and the
9 person's attorney each pay a portion of the forfeiture.

10 (2) In order for an agency to find a petition or request to be frivolous under sub.
11 (1) (a) or for a hearing examiner to find an application, pleading, motion, request or
12 other action to be frivolous under sub. (1) (b), the agency or hearing examiner must
13 find one or more of the following:

14 (a) The petition or request specified in sub. (1) (a) or the application, pleading,
15 motion, request or other action specified in sub. (1) (b) must have been undertaken
16 for the purpose of delay.

17 (b) The petition or request specified in sub. (1) (a) or the application, pleading,
18 motion, request or other action specified in sub. (1) (b) must have been undertaken
19 for the purpose of maliciously injuring the reputation of an agency or an agency
20 employe.

21 (c) The person or the person's attorney knew, or should have known, that the
22 petition or request specified in sub. (1) (a) or the application, pleading, motion,
23 request or other action specified in sub. (1) (b) was undertaken without any
24 reasonable basis in law or fact.”.

1 **932.** Page 1416, line 25: delete the material beginning with that line and
2 ending with page 1417, line 2.

3 **933.** Page 1417, line 2: after that line insert:

4 “**SECTION 3290p.** 230.04 (9) (f) of the statutes is amended to read:

5 230.04 (9) (f) Establish an affirmative action subunit reporting directly to the
6 secretary. The affirmative action subunit shall advise and assist the secretary, the
7 administrator and agency heads on establishing policies and programs to ensure
8 appropriate affirmative action. The subunit shall advise and assist the secretary in
9 monitoring such programs ~~and shall provide staff to the affirmative action council.”.~~

10 **934.** Page 1417, line 2: after that line insert:

11 “**SECTION 3290e.** 230.03 (9m) of the statutes is amended to read:

12 230.03 (9m) “Disabled ~~wartime~~ veteran” means a veteran who has a
13 service-connected disability ~~that is directly traceable to war service.~~

14 **SECTION 3290f.** 230.03 (14) (d) of the statutes is created to read:

15 230.03 (14) (d) A person who served on active duty under honorable conditions
16 in the U.S. armed forces for 2 continuous years or more or the full period of the
17 person’s initial service obligation, whichever is less. A person discharged from the
18 U.S. armed forces for reasons of hardship or a service-connected disability or a
19 person released due to a reduction in the U.S. armed forces prior to the completion
20 of the required period of service shall also be considered a “veteran”, regardless of the
21 actual time served.

22 **SECTION 3290r.** 230.04 (10) (c) of the statutes is amended to read:

23 230.04 (10) (c) The secretary shall request from each agency and each agency
24 shall furnish to the secretary relevant information regarding the prior military

1 service, if any, of every new employe hired by the agency including limited term,
2 project, seasonal and sessional employes. The secretary shall maintain the data to
3 permit a periodic review of the progress being made to provide employment
4 opportunities in civil service for veterans and disabled ~~wartime~~ veterans.”.

5 **935.** Page 1417, line 20: after that line insert:

6 “**SECTION 3303p.** 230.08 (2) (rm) of the statutes is created to read:

7 230.08 (2) (rm) Staff of the environmental education board.”.

8 **936.** Page 1418, line 4: after that line insert:

9 “**SECTION 3306m.** 230.08 (2) (yz) of the statutes is amended to read:

10 230.08 (2) (yz) The staff of the Wisconsin sesquicentennial commission. This
11 paragraph does not apply after June 30, 1999.”.

12 **937.** Page 1419, line 15: after that line insert:

13 “**SECTION 3310d.** 230.16 (7) (a) 2. of the statutes is amended to read:

14 230.16 (7) (a) 2. For a disabled ~~wartime~~ veteran, that 15 points shall be added
15 to his or her grade.

16 **SECTION 3310h.** 230.16 (7) (a) 3. of the statutes is amended to read:

17 230.16 (7) (a) 3. For a disabled ~~wartime~~ veteran whose disability is at least 30%,
18 that 20 points shall be added to his or her grade.

19 **SECTION 3310p.** 230.16 (7) (a) 4. of the statutes is amended to read:

20 230.16 (7) (a) 4. For the spouse of a disabled ~~wartime~~ veteran whose disability
21 is at least 70%, that 10 points shall be added to the spouse’s grade.

22 **SECTION 3310t.** 230.25 (1g) of the statutes is amended to read:

23 230.25 (1g) For every position to be filled by promotion from a promotional
24 register, the administrator shall, after certifying names under sub. (1), additionally

1 certify the name of the highest ranked disabled wartime veteran whose disability is
2 at least 70%.”.

3 **938.** Page 1420, line 6: after that line insert:

4 “SECTION 3316e. 230.46 of the statutes is repealed.”.

5 **939.** Page 1432, line 12: delete “and (tm)”.

6 **940.** Page 1437, line 20: after that line insert:

7 “SECTION 3394e. 250.04 (13) of the statutes is created to read:

8 250.04 (13) The department shall provide information on the prevention,
9 detection, diagnosis and treatment of blastomycosis in areas of this state with a high
10 incidence of blastomycosis.”.

11 **941.** Page 1437, line 21: after that line insert:

12 “SECTION 3399m. 250.09 of the statutes is repealed.”.

13 **942.** Page 1439, line 4: after that line insert:

14 “SECTION 3404m. 252.12 (2) (a) 3. (intro.) of the statutes is amended to read:

15 252.12 (2) (a) 3. ‘Statewide public education campaign.’ (intro.) The
16 department shall promote public awareness of the risk of contracting acquired
17 immunodeficiency syndrome and measures for acquired immunodeficiency
18 syndrome protection by development and distribution of information through family
19 planning clinics providing family planning services, as defined in s. 253.07 (1) (b),
20 offices of physicians and clinics for sexually transmitted diseases and by newsletters,
21 public presentations or other releases of information to newspapers, periodicals,
22 radio and television stations and other public information resources. The
23 information would be targeted at individuals whose behavior puts them at risk of

1 contracting acquired immunodeficiency syndrome and would encompass the
2 following topics:”.

3 **943.** Page 1445, line 8: after that line insert:

4 “**SECTION 3436f.** 253.02 (2) (a) of the statutes is amended to read:

5 253.02 (2) (a) Reproductive health services, including health services prior to
6 conception and family planning services, as defined in s. 253.07 (1) (b).

7 **SECTION 3437h.** 253.02 (2m) of the statutes is amended to read:

8 253.02 (2m) Nothing in this section authorizes the performance, promotion or,
9 encouragement of or counseling in favor of, or direct or indirect referral for, voluntary
10 termination of pregnancy.”.

11 **944.** Page 1445, line 8: after that line insert:

12 “**SECTION 3436d.** 253.02 (1) (am) of the statutes is created to read:

13 253.02 (1) (am) “Family planning services” has the meaning given in s. 253.07
14 (1) (b).

15 **SECTION 3436p.** 253.02 (2g) of the statutes is created to read:

16 253.02 (2g) The maternal and child health program under sub. (2) shall require
17 written parental consent for the provision of family planning services to minors.”.

18 **945.** Page 1453, line 19: after that line insert:

19 “**SECTION 3447L.** 253.07 (1) (a) of the statutes is amended to read:

20 253.07 (1) (a) “Family planning” means voluntary action by individuals to
21 prevent or aid conception but does not include the performance, promotion or,
22 encouragement of or counseling in favor of, or direct or indirect referral for, voluntary
23 termination of pregnancy.

24 **SECTION 3447m.** 253.07 (1) (b) of the statutes is amended to read:

1 253.07 (1) (b) “Family planning services” mean counseling by trained
2 personnel regarding family planning; distribution of information relating to family
3 planning; and referral to licensed physicians or local health departments for
4 consultation, examination, medical treatment and prescriptions for the purpose of
5 family planning, but does not include the performance of, promotion, encouragement
6 or counseling in favor of, or direct or indirect referral for, voluntary termination of
7 pregnancy.”.

8 **946.** Page 1453, line 23: after that line insert:

9 “**SECTION 3448p.** 253.07 (5) of the statutes is created to read:

10 253.07 (5) LIMITATION ON USE OF FUNDS. The department may not distribute any
11 funds under sub. (4) to any family planning agency that does not require written
12 parental consent for the provision of family planning services to minors.”.

13 **947.** Page 1454, line 5: delete “perform an abortion.” and substitute “perform
14 an abortion engage in any activity specified in s. 20.9275 (2) (a) 1. to 3.”.

15 **948.** Page 1454, line 10: after that line insert:

16 “**SECTION 3451t.** 253.10 (3) (c) 2. c. of the statutes is amended to read:

17 253.10 (3) (c) 2. c. That the woman has a legal right to continue her pregnancy
18 and to keep the child, ~~place the child in foster care, place the child with a relative for~~
19 ~~adoption or petition the court for placement of the child for adoption in the home of~~
20 ~~a person who is not a relative; to place the child in a foster home or treatment foster~~
21 home for 6 months or to petition a court for placement of the child in a foster home,
22 treatment foster home or group home or with a relative; or to place the child for
23 adoption under a process that involves court approval both of the voluntary
24 termination of parental rights and of the adoption.

1 **SECTION 3451v.** 253.10 (3) (c) 2. g. of the statutes is amended to read:

2 253.10 (3) (c) 2. g. The That the printed materials described in par. (d) contain
3 information on the availability of public and private agencies and services to provide
4 the woman with ~~birth control~~ information on family planning, as defined in s. 253.07
5 (1) (a), including natural family planning information.

6 **SECTION 3451x.** 253.10 (3) (cm) of the statutes is repealed.”.

7 **949.** Page 1454, line 18: delete “s. 46.425 (1) and upon request,” and
8 substitute “s. 46.425 (1) and upon request, shall”.

9 **950.** Page 1454, line 19: before “exercise” insert “shall”.

10 **951.** Page 1454, line 21: after that line insert:

11 “**SECTION 3452g.** 253.10 (3) (d) 1. of the statutes is amended to read:

12 253.10 (3) (d) 1. Geographically indexed materials that are designed to inform
13 a woman about public and private agencies, including adoption agencies, and
14 services that are available to provide information on family planning, as defined in
15 s. 253.07 (1) (a), including natural family planning information, to provide
16 ultrasound imaging services, to assist her if she has received a diagnosis that her
17 unborn child has a disability or if her pregnancy is the result of sexual assault or
18 incest and to assist her through pregnancy, upon childbirth and while the child is
19 dependent. The materials shall include a comprehensive list of the agencies
20 available, a description of the services that they offer and a description of the manner
21 in which they may be contacted, including telephone numbers and addresses, or, at
22 the option of the department, the materials shall include a toll-free, 24-hour
23 telephone number that may be called to obtain an oral listing of available agencies
24 and services in the locality of the caller and a description of the services that the

1 agencies offer and the manner in which they may be contacted. The materials shall
2 provide information on the availability of governmentally funded programs that
3 serve pregnant women and children. Services identified for the woman shall include
4 aid to families with dependent children under s. 49.19, medical assistance for
5 pregnant women and children under s. 49.47 (4) (am), the job opportunities and basic
6 skills program under s. 49.193, the availability of family or medical leave under s.
7 103.10, child care services, child support laws and programs and the credit for
8 expenses for household and dependent care and services necessary for gainful
9 employment under section 21 of the internal revenue code. The materials shall state
10 that it is unlawful ~~for any person to coerce a woman to undergo an abortion to~~
11 perform an abortion for which consent has been coerced, that any physician who
12 performs or induces an abortion without obtaining the woman's voluntary and
13 informed consent is liable to her for damages in a civil action and is subject to a civil
14 penalty, that the father of a child is liable for assistance in the support of the child,
15 even in instances in which the father has offered to pay for an abortion, and that
16 adoptive parents may pay the costs of prenatal care, childbirth and neonatal care.
17 The materials shall include information, for a woman whose pregnancy is the result
18 of sexual assault or incest, on legal protections available to the woman and her child
19 if she wishes to oppose establishment of paternity or to terminate the father's
20 parental rights. The materials shall state that fetal ultrasound imaging and
21 auscultation of fetal heart tone services are obtainable by pregnant women who wish
22 to use them and shall describe the services.

23 **SECTION 3452m.** 253.10 (3) (e) of the statutes is amended to read:

24 253.10 (3) (e) *Requirement to obtain materials.* A physician who intends to
25 perform or induce an abortion or another qualified physician, who reasonably

1 believes that he or she might have a patient for whom the information under par. (d)
2 is required to be given, shall request a reasonably adequate number of the materials
3 that are described under par. (d) from the department under par. (d) or from a county
4 department as specified under s. 46.245 (1).

5 **SECTION 3452s.** 253.10 (7) of the statutes is amended to read:

6 253.10 (7) AFFIRMATIVE DEFENSE. No person is liable under sub. (5) or (6) or
7 under s. 441.07 (1) (f), 448.02 (3) (a) or 457.26 (2) (gm) for failure under sub. (3) (c)
8 2. d. to provide the printed materials described in sub. (3) (d) to a woman or for failure
9 under sub. (3) (c) 2. d., e. ~~or~~ f. or g. to describe the contents of the printed materials
10 if the person has made a reasonably diligent effort to obtain the printed materials
11 under sub. (3) (e) and s. 46.245 (1) and the department and the county department
12 under s. 46.215, 46.22 or 46.23 have not made the printed materials available at the
13 time that the person is required to give them to the woman.”

14 **952.** Page 1455, line 12: after that line insert:

15 “**SECTION 3470d.** 254.36 (1) of the statutes is repealed.

16 **SECTION 3470h.** 254.36 (2) of the statutes is renumbered 254.36 and amended
17 to read:

18 **254.36** (title) **Radiation protection council.** The department, ~~on the~~
19 ~~recommendation of the council,~~ shall promulgate a radiation protection code. Other
20 departments and agencies of state government and local governmental units may
21 adopt the identical code, but no other rule, code or ordinance relating to this subject
22 may be promulgated or enacted except as provided under ss. 166.03 (2) (b) 6., 293.15
23 (8) and 293.25.

24 **SECTION 3470p.** 254.36 (3) to (7) of the statutes are repealed.

1 **SECTION 3470t.** 254.37 (3) of the statutes is amended to read:

2 254.37 **(3)** RULES. The department shall enforce the rules pertaining to ionizing
3 radiation in establishments principally engaged in furnishing medical, surgical,
4 chiropractic and other health services to persons and animals. The department of
5 commerce shall enforce the rules pertaining to ionizing radiation in industrial
6 establishments. The department shall notify the department of commerce and
7 deliver to it a copy of each new registration and at such time a decision shall be made
8 as to which state agency shall enforce the rules pertaining to ionizing radiation. The
9 ~~department and the department of commerce are directed to consult with the~~
10 ~~radiation protection council in case of jurisdictional problems.”.~~

11 **953.** Page 1455, line 20: after that line insert:

12 “**SECTION 3476e.** 254.71 (4) of the statutes is repealed.

13 **SECTION 3476m.** 254.71 (5) of the statutes is amended to read:

14 254.71 **(5)** The department shall conduct evaluations of the effect that the food
15 protection practices certification program has on compliance by restaurants with
16 requirements established under s. 254.74 (1) ~~and provide the evaluations, as~~
17 ~~requested, to the council on food protection practices.~~

18 **SECTION 3476r.** 254.71 (6) (intro.) of the statutes is amended to read:

19 254.71 **(6)** (intro.) The department, ~~after consulting with the council on food~~
20 ~~protection practices,~~ shall promulgate rules concerning all of the following.”.

21 **954.** Page 1456, line 17: delete “treatment services,”.

22 **955.** Page 1456, line 21: after that line insert:

23 “**SECTION 3484m.** 255.10 of the statutes is created to read:

1 **255.10 Tobacco prevention and education program.** From the
2 appropriation under s. 20.435 (1) (dg), the department shall administer a tobacco
3 prevention and education program, with the primary purpose of reducing the use of
4 cigarettes and tobacco products by minors. The department shall award grants for
5 the following purposes:

6 **(1)** Community education provided through local community initiatives.

7 **(2)** A multimedia education campaign directed at encouraging minors not to
8 begin using tobacco, motivating and assisting adults to stop using tobacco and
9 changing public opinion on the use of tobacco.

10 **(3)** Public education through grants to schools to expand and implement
11 curricula on tobacco education.

12 **(4)** Research on methods by which to discourage use of tobacco.

13 **(5)** Evaluation of the program under this section.”.

14 **956.** Page 1458, line 23: after “not” insert “construction sites, construction
15 practices,”.

16 **957.** Page 1461, line 2: after the period insert “The rules may not allow a
17 determination that cost-sharing is available to meet local regulations under s. 92.07
18 (2), 92.105 (1) or 92.15 that are consistent with or that exceed the performance
19 standards, prohibitions, conservation practices or technical standards under this
20 subsection unless the cost-sharing is at least 70% of the cost of compliance or is from
21 70% to 90% of the cost of compliance in cases of economic hardship, as defined in the
22 rules.”.

23 **958.** Page 1464, line 7: after “for” insert “all of the planning, design and
24 construction costs incurred after June 30, 1995, for”.

1 **959.** Page 1472, line 17: substitute “If” for “For”.

2 **960.** Page 1472, line 19: after “town” insert “submits data concerning
3 household income obtained from a 3rd party”.

4 **961.** Page 1472, line 21: after “on” insert “the”.

5 **962.** Page 1472, line 22: delete that line and substitute “obtained from the 3rd
6 party.”.

7 **963.** Page 1473, line 3: delete “66.905 (2) (b) 560.036 (2m) (b) 2” and substitute
8 “66.905 (2) (b)”.

9 **964.** Page 1479, line 1: substitute “\$90,200,000” for “\$82,400,000”.

10 **965.** Page 1502, line 19: delete the material beginning with that line and
11 ending with page 1503, line 2.

12 **966.** Page 1507, line 6: delete “Administer” and substitute “Administer
13 Except as provided in sub. (5) (g), administer”.

14 **967.** Page 1510, line 19: after that line insert:

15 “**SECTION 3588e.** 281.65 (5) (g) of the statutes is created to read:

16 281.65 (5) (g) Administer the distribution of funding under s. 20.866 (2) (we)
17 to governmental units for implementation of the program under this section.”.

18 **968.** Page 1512, line 19: delete the material beginning with that line and
19 ending with page 1513, line 8.

20 **969.** Page 1523, line 21: after that line insert:

21 “**SECTION 3606p.** 285.11 (18) of the statutes is created to read:

22 285.11 (18) Seek permission from the federal environmental protection agency
23 to close all sites at which the department monitors atmospheric ozone that are

1 located within 3 miles of the shoreline of Lake Michigan and, if the federal
2 environmental protection agency grants that permission, close those sites.”.

3 **970.** Page 1523, line 21: after that line insert:

4 “**SECTION 3606pm.** 285.30 (5) (b) of the statutes is amended to read:

5 285.30 (5) (b) A motor vehicle with a gross vehicle weight rating exceeding
6 ~~14,000~~ 10,000 pounds, as determined by the manufacturer of the vehicle.”.

7 **971.** Page 1528, line 13: after that line insert:

8 “**SECTION 3621c.** 287.41 (4) of the statutes is created to read:

9 287.41 (4) The department of commerce shall use the strategic plan prepared
10 and revised under this section to guide the activities of the board.”.

11 **972.** Page 1530, line 23: before that line insert:

12 “**SECTION 3636m.** 289.05 (2) of the statutes is amended to read:

13 289.05 (2) ~~With the advice and comment of the metallic mining council, the~~ The
14 department shall promulgate rules for the identification and regulation of metallic
15 mining wastes. The rules promulgated to identify metallic mining wastes and to
16 regulate the location, design, construction, operation and maintenance of facilities
17 for the disposal of metallic mining wastes shall be in accordance with any or all of
18 the provisions under this chapter and chs. 30 and 283. The rules shall take into
19 consideration the special requirements of metallic mining operations in the location,
20 design, construction, operation and maintenance of facilities for the disposal of
21 metallic mining wastes as well as any special environmental concerns that will arise
22 as a result of the disposal of metallic mining wastes. In promulgating the rules, the
23 department shall give consideration to research, studies, data and recommendations
24 of the U.S. environmental protection agency on the subject of metallic mining wastes

1 arising from the agency's efforts to implement the resource conservation and
2 recovery act.

3 **SECTION 3636p.** 289.08 of the statutes is repealed.”.

4 **973.** Page 1530, line 25: after that line insert:

5 “**SECTION 3637m.** 289.55 (1) (b) of the statutes is amended to read:

6 289.55 (1) (b) “Tire dump” means any location that is used for storing or
7 disposing of waste tires or solid waste resulting from manufacturing tires.

8 **SECTION 3637n.** 289.55 (2) of the statutes is amended to read:

9 289.55 (2) DEPARTMENT AUTHORITY; ABATEMENT. If the department determines
10 that a tire dump is a nuisance, it shall notify the person responsible for the nuisance
11 and request that the waste tires or the solid waste resulting from manufacturing
12 tires be processed or removed within a specified period. If the person fails to take the
13 requested action within the specified period, the department shall order the person
14 to abate the nuisance within a specified period. If the person responsible for the
15 nuisance is not the owner of the property on which the tire dump is located, the
16 department may order the property owner to permit abatement of the nuisance. If
17 the person responsible for the nuisance fails to comply with the order, the
18 department may take any action necessary to abate the nuisance, including entering
19 the property where the tire dump is located and confiscating the waste tires or the
20 solid waste resulting from manufacturing tires, or arranging to have the waste tires
21 or the solid waste resulting from manufacturing tires processed or removed.”.

22 **974.** Page 1535, line 24: after that line insert:

23 “**SECTION 3660g.** 292.11 (9) (g) of the statutes is created to read:

1 292.11 (9) (g) 1. In this paragraph, “petroleum contaminated soil” means soil
2 that is contaminated with materials derived from petroleum, natural gas or asphalt,
3 including gasoline, diesel and heating fuels, liquified petroleum gases, lubricants,
4 waxes, greases and petrochemicals.

5 2. A person is exempted from sub. (7) (b) and from the penalty requirements
6 of this section if all of the following apply:

7 a. The person’s act or omission was taken while performing services under
8 contract with the department of transportation.

9 b. The act or omission involving the petroleum contaminated soil was
10 consistent with the contract described in subd. 2. a. or was directed by the
11 department of transportation.

12 3. Subd. 2. does not apply to any person:

13 a. Who brought petroleum contaminated soil onto the property or caused the
14 soil to become petroleum contaminated soil.

15 b. Who is under a previous contract with a state agency other than the
16 department of transportation to remove a hazardous substance from the property,
17 or to treat a hazardous substance on the property.

18 c. Whose act or omission constitutes gross negligence or involves reckless,
19 wanton or intentional misconduct.”.

20 **975.** Page 1536, line 2: after “LIABILITY” insert “FOR GROUNDWATER
21 CONTAMINATION”.

22 **976.** Page 1536, line 3: delete “soil or”.

23 **977.** Page 1536, line 4: delete “owned” and substitute “possessed or
24 controlled”.

1 **978.** Page 1536, line 9: after “investigation” insert “or submits other
2 information”.

3 **979.** Page 1536, line 15: delete lines 15 to 19.

4 **980.** Page 1536, line 21: before “to avoid” insert “and”.

5 **981.** Page 1537, line 1: before that line insert:

6 “(1m) EXEMPTION FROM LIABILITY FOR SOIL CONTAMINATION. A person is exempt
7 from s. 292.11 (3), (4) and (7) (b) and (c) with respect to the existence of a hazardous
8 substance in the soil on property possessed or controlled by the person if all of the
9 following apply:

10 (a) The discharge of the hazardous substance originated from a source on
11 property that is not possessed or controlled by the person.

12 (b) The person did not possess or control the hazardous substance on the
13 property on which the discharge originated or cause the original discharge.

14 (c) The person conducts an investigation or submits other information, that the
15 department determines is adequate, to substantiate that pars. (a) and (b) are
16 satisfied.

17 (d) The person agrees to allow the department, any authorized representatives
18 of the department, any party that possessed or controlled the hazardous substance
19 or caused the discharge of the hazardous substance and any consultant or contractor
20 of such a party to enter the property to take action to respond to the discharge.

21 (e) After the department has made a reasonable attempt to notify the party who
22 caused the discharge of the hazardous substance of the party’s responsibilities under
23 s. 292.11, the person takes at least one of the following actions, at the direction of the

1 department, to respond to the discharge to prevent an imminent threat to human
2 health, safety or welfare or to the environment:

3 1. Limits public access to the property.

4 2. Identifies, monitors and mitigates fire, explosion and vapor hazards on the
5 property.

6 3. Visually inspects the property and installs appropriate containment
7 barriers.

8 (f) The person agrees to avoid any interference with action undertaken to
9 respond to the discharge and to avoid actions that worsen the discharge.

10 (g) The person agrees to any other condition that the department determines
11 is reasonable and necessary to ensure that the department or other person described
12 in par. (d) can adequately respond to the discharge.”.

13 **982.** Page 1537, line 2: delete “owning” and substitute “who possesses or
14 controls”.

15 **983.** Page 1537, line 4: before “requirements” insert “applicable”.

16 **984.** Page 1537, line 4: delete “sub. (1)” and substitute “subs. (1) and (1m)”.

17 **985.** Page 1537, line 5: after “(1)” insert “or (1m)”.

18 **986.** Page 1537, line 17: after “otherwise” insert “intentionally or recklessly”.

19 **987.** Page 1537, line 17: delete “release discharge” and substitute “release”.

20 **988.** Page 1537, line 22: delete lines 22 to 24.

21 **989.** Page 1538, line 2: after “ss. 289.05 (1), (2)” insert “, (3)”.

22 **990.** Page 1538, line 5: delete “the release of which occurred prior to the date
23 of” and substitute “~~the release of which occurred prior to the date of~~”.

1 **991.** Page 1538, line 6: delete “acquisition of the property” and substitute
2 “acquisition of the property”.

3 **992.** Page 1539, line 18: delete “off” and substitute “originating from”.

4 **993.** Page 1541, line 15: after that line insert:

5 “**SECTION 3676m.** 292.15 (3m) of the statutes is created to read:

6 292.15 (3m) TENANTS AND LESSEES. The exemption provided in sub. (2) applies
7 to any tenant or lessee of property on which a hazardous substance is discharged if
8 the property is owned by a voluntary party.”.

9 **994.** Page 1542, line 13: after that line insert:

10 “**SECTION 3678m.** 292.15 (5m) of the statutes is created to read:

11 292.15 (5m) PROSPECTIVE PURCHASER ASSURANCE LETTERS. The secretary, in
12 accordance with rules promulgated by the department, may issue to a prospective
13 purchaser of property a letter certifying that the prospective purchaser is entitled to
14 the exemptions described under sub. (2). The secretary may condition the
15 entitlement to the exemptions upon the prospective purchaser’s taking action as
16 provided in this section and in a manner considered satisfactory to the department.
17 Notwithstanding sub. (1) (f), a person to whom the secretary issues a letter under this
18 subsection shall be considered to be a voluntary party under this section.”.

19 **995.** Page 1545, line 4: delete “or exacerbates an existing discharge”.

20 **996.** Page 1545, line 5: delete the material beginning with “or exacerbates”
21 and ending with “discharge” on line 6.

22 **997.** Page 1545, line 7: delete the material beginning with that line and
23 ending with page 1546, line 15.

1 **998.** Page 1577, line 6: delete the material beginning with that line and
2 ending with page 1581, line 17.

3 **999.** Page 1581, line 17: after that line insert:

4 “**SECTION 3730m.** 293.13 (1) (b) of the statutes is amended to read:

5 293.13 (1) (b) Establish by rule ~~after consulting with the metallic mining~~
6 ~~council~~ minimum qualifications for applicants for prospecting and mining permits.
7 Such minimum qualifications shall ensure that each operator in the state is
8 competent to conduct mining and reclamation and each prospector in the state is
9 competent to conduct prospecting in a fashion consistent with the purposes of this
10 chapter. The department shall also consider such other relevant factors bearing
11 upon minimum qualifications, including but not limited to, any past forfeitures of
12 bonds posted pursuant to mining activities in any state.

13 **SECTION 3730p.** 293.13 (2) (a) of the statutes is amended to read:

14 293.13 (2) (a) The department by rule ~~after consulting with the metallic mining~~
15 ~~council~~ shall adopt minimum standards for exploration, prospecting, mining and
16 reclamation to ensure that such activities in this state will be conducted in a manner
17 consistent with the purposes and intent of this chapter. The minimum standards
18 may classify exploration, prospecting and mining activities according to type of
19 minerals involved and stage of progression in the operation.”.

20 **1000.** Page 1593, line 8: delete the material beginning with “I” and ending
21 with “council.” on line 10.

22 **1001.** Page 1599, line 7: after that line insert:

23 “**SECTION 3786f.** 299.13 (1) (bm) of the statutes is repealed.

24 **SECTION 3786h.** 299.13 (1m) (intro.) of the statutes is amended to read:

1 299.13 **(1m)** PROMOTION OF HAZARDOUS POLLUTION PREVENTION. (intro.) In
2 carrying out the duties under this section and ss. 36.25 (30) and 560.19 and this
3 ~~section~~, the department, the department of commerce, ~~the council~~ and the program
4 shall promote all of the following techniques for hazardous pollution prevention:

5 **SECTION 3786j.** 299.13 (2) (b) of the statutes is amended to read:

6 299.13 **(2)** (b) Identify all department requirements for reporting on hazardous
7 pollution prevention and, to the extent possible and practical, standardize,
8 coordinate and consolidate the reporting in order to minimize duplication and
9 provide useful information on hazardous pollution prevention to the ~~council~~, the
10 legislature and the public.

11 **SECTION 3786L.** 299.13 (2) (e) of the statutes is repealed.”.

12 **1002.** Page 1599, line 7: after that line insert:

13 “**SECTION 3785.** 299.05 of the statutes is created to read:

14 **299.05 Permit guarantee program. (1)** The department shall promulgate
15 rules under which the department refunds fees paid by an applicant for a license,
16 permit or other approval that is issued under ss. 30.10 to 30.205 or 30.21 to 30.27,
17 chs. 280 to 283 and 287 to 292 or subch. II of ch. 295 and that is of a type specified
18 in the rule if the department fails to make a determination on the application within
19 the time limit specified in the rule for that type of license, permit or other approval.
20 The rules under this subsection do not apply to an applicant for a license, permit or
21 other approval related to mining, as defined in s. 293.01 (9), prospecting, as defined
22 in s. 293.01 (18), or nonmetallic mining, as defined in s. 295.11 (3).

23 **(2)** The department shall specify at least the following types of licenses,
24 permits and other approvals in the rules under sub. (1):

- 1 (a) Permits and other approvals under ss. 30.10 to 30.205 and 30.21 to 30.27.
- 2 (b) Approvals under s. 281.17 (1).
- 3 (c) Permits under subch. IV of ch. 283.
- 4 (e) Licenses under subch. III of ch. 289.
- 5 (f) Licenses issued under subch. IV of ch. 291.”.

6 **1003.** Page 1616, line 21: after that line insert:

7 “SECTION 3789m. 299.94 of the statutes is created to read:

8 **299.94 Immunity for disclosures. (1) DEFINITIONS.** In this section:

- 9 (a) “Environmental audit” has the meaning given in s. 905.20 (1) (a).
- 10 (b) “Environmental requirement” has the meaning given in s. 905.20 (1) (b).

11 **(2) DISCLOSURE IMMUNITY.** (a) A person who voluntarily discloses to the
12 department information relating to a potential violation of an environmental
13 requirement to the department shall be immune from the imposition of a civil or
14 criminal penalty that could be imposed for the violation if all of the following apply:

15 1. At the time that the voluntary disclosure is made to the department, the
16 person making that disclosure provides the department with a certification, signed
17 before the environmental audit occurred by the person or by an authorized
18 representative of the person, that specifies the facility or portion of a facility to be
19 audited, when the audit will begin and the general scope of the audit. The
20 certification may relate to more than one scheduled environmental audit.

21 2. The voluntary disclosure is made promptly after the person knew, on the
22 basis of information obtained during an environmental audit, that a potential
23 violation occurred.

24 3. The person makes a good faith effort to timely correct the potential violation.

1 4. The person cooperates with any reasonable request by the department in any
2 investigation that results from the disclosure.

3 5. The environmental audit occurs before the person is made aware that he or
4 she is under investigation by a regulatory agency for potential violations of
5 environmental requirements.

6 6. At the time that the voluntary disclosure is made to the department, the
7 person making that disclosure provides the department with information showing
8 that the conditions specified in subds. 2. to 5. have been satisfied.

9 (b) If the person who voluntarily discloses information under par. (a) is a
10 governmental unit, as defined in s. 939.648 (1), or a business entity, the immunity
11 under this subsection applies to a director, officer, official, shareholder, trustee and
12 managing employe, as defined in s. 49.498 (1) (e), of that person and to an employe
13 of that person if the employe consents in writing to the disclosure.

14 **(3) EXCEPTIONS.** A penalty may be imposed notwithstanding sub. (2) if any of
15 the following applies:

16 (a) The information disclosed under sub. (2) is required to be reported under
17 a specific permit, license or approval condition or under an order issued by the
18 department.

19 (b) The violation resulted in serious actual harm or in imminent and
20 substantial endangerment to human health or the environment.

21 (c) Within 3 years before the disclosure, the person making the disclosure has
22 been found by a court or administrative law judge to have knowingly committed a
23 criminal act or committed serious violations that constitute a pattern of continuous
24 or repeated violations of environmental requirements, settlement agreements,

1 consent orders or judicial orders that were due to separate and distinct events giving
2 rise to the violations.

3 (d) The violation resulted in a substantial economic benefit that gave the
4 violator a clear advantage over its business competitors.

5 (4) CRIMINAL PENALTIES. Immunity provided for in this section does not apply
6 to any criminal penalties if the criminal violation was the result of gross negligence
7 by the owner or operator of a site or facility or was committed with knowledge by an
8 owner or operator of a site or facility that an environmental requirement was
9 violated.

10 (5) BURDEN OF PROOF. When the department commences an enforcement action
11 against any person covered under sub. (2) for a violation of an environmental
12 requirement based in whole or in part on information contained in an environmental
13 audit and disclosed to the department, the disclosure shall be presumed to be
14 voluntary. The department has the burden of proving by a preponderance of the
15 evidence that a penalty may be imposed because the disclosure was not voluntary,
16 because any of the conditions under sub. (2) (a) were not met or because one of the
17 exceptions under sub. (3) applies.”.

18 **1004.** Page 1616, line 25: after that line insert:

19 “SECTION 3790d. 301.026 of the statutes is repealed.”.

20 **1005.** Page 1620, line 3: after that line insert:

21 “SECTION 3825m. 301.16 (1g) of the statutes is created to read:

22 301.16 (1g) In addition to the institutions under sub. (1), the department of
23 corrections shall establish the medium security correctional institution or
24 institutions authorized under 1997 Wisconsin Act ... (this act), section 9107 (1) (b),

1 at the site or sites selected by the building commission. If the department of
2 administration, under s. 16.707, accepts a competitive sealed proposal for the initial
3 operation and management of a medium security correctional institution authorized
4 under 1997 Wisconsin Act (this act), section 9107 (1) (b), the department of
5 corrections shall enter into a contractual services agreement with the contractor for
6 the initial operation and management of the medium security correctional
7 institution.”.

8 **1006.** Page 1627, line 12: delete lines 12 to 14 and substitute:

9 “(a) For community youth and family aids under this section, amounts not to
10 exceed ~~\$37,243,500~~ \$39,232,900 for the last 6 months of ~~1996 and \$37,347,600~~ 1997,
11 \$78,465,900 for 1998 and \$39,233,000 for the first 6 months of ~~1997~~ 1999.”.

12 **1007.** Page 1629, line 7: after that line insert:

13 “**SECTION 3860r.** 301.37 (5) of the statutes is created to read:

14 301.37 (5) The department’s standards and regulations under sub. (1) for
15 secure detention facilities apply to private secure detention facilities used under s.
16 938.222. At least annually, the department shall inspect each such private secure
17 detention facility with respect to safety, sanitation, adequacy and fitness, report to
18 the county board and the private entity operating the private secure detention
19 facility regarding any deficiency found and order the necessary work to correct it.
20 If within 6 months thereafter the work is not commenced, or not completed within
21 a reasonable period thereafter to the satisfaction of the department, the department
22 shall prohibit the use of the private secure detention facility for purposes of s.
23 938.222 until the order is complied with.”.

24 **1008.** Page 1630, line 14: after that line insert:

1 **“SECTION 3908m.** 303.01 (1) (b) of the statutes is amended to read:

2 303.01 (1) (b) The department, ~~with the approval of the prison industries board~~
3 ~~and~~ after a hearing is held under par. (c), may establish industries for the
4 employment of inmates in the state prisons or residents in any correctional
5 institution operated by the department for holding in secure custody persons
6 adjudged delinquent. Except as provided in par. (d), prison industries may engage
7 in manufacturing articles for and providing services to the state and its political
8 subdivisions and any tax-supported institution or nonprofit agency and for sale of
9 such articles and services to other states or political divisions thereof or to the United
10 States. The department shall fix the price of all products and services as near the
11 market price as possible. Supplies, materials and equipment may be reconditioned
12 by prison industries for sale under s. 16.72.”.

13 **1009.** Page 1630, line 19: delete “3” and substitute “3 11”.

14 **1010.** Page 1631, line 2: after “paragraph.” insert “If the department enters
15 into a contract that requires the department to purchase equipment for use by a
16 private business that leases space under this paragraph, the contract shall provide
17 that the private business purchase the equipment from the department and pay the
18 department the full cost of the equipment, plus interest, before the end of the contract
19 under which the private business leases space.”.

20 **1011.** Page 1631, line 10: after that line insert:

21 **“SECTION 3909d.** 303.01 (2) (em) of the statutes, as affected by 1997 Wisconsin
22 Act (this act), section 3909b, is amended to read:

23 303.01 (2) (em) Lease space, with or without equipment, within the precincts
24 of state prisons, as specified in s. 302.02, or within the confines of correctional

1 institutions operated by the department for holding in secure custody persons
2 adjudged delinquent, to not more than 3 private businesses to employ prison inmates
3 and institution residents to manufacture products or components or to provide
4 services for sale on the open market. The department shall comply with s. 16.75 in
5 selecting businesses under this paragraph. The department may enter into a
6 contract under this paragraph only with the approval of the joint committee on
7 finance. The department shall consult with appropriate trade organizations and
8 labor unions prior to issuing requests for proposals and prior to selecting proposals
9 under this paragraph. Each such private business may conduct its operations as a
10 private business, subject to the wage standards under sub. (4), the disposition of
11 earnings under sub. (8), the requirements for notification and hearing under sub. (1)
12 (c), ~~the requirement for prison industries board approval under s. 303.015 (1) (b) and~~
13 the authority of the department to maintain security and control in its institutions.
14 The private business and its operations are not a prison industry. Inmates employed
15 by the private business are not subject to the requirements of inmates participating
16 in prison industries, except as provided in this paragraph;

17 **SECTION 3909h.** 303.01 (4) of the statutes is amended to read:

18 303.01 (4) WAGE STANDARDS. All inmates and residents shall be paid a wage that
19 is based on the productivity of the work the inmates and residents perform. Wages
20 may be established at an hourly rate plus an incentive wage based on productivity
21 and piecework formulas may be created. However, wages shall not be set at a rate
22 such as to cause a deficit on operations. Changes in inmate and resident wage rate
23 schedules may not be made without approval of the ~~prison industries board~~
24 department.”.

1 **1012.** Page 1631, line 23: after that line insert:

2 “**SECTION 3910bc.** 303.01 (9) of the statutes is amended to read:

3 303.01 (9) STAFF SERVICES. The secretary shall appoint the director of prison
4 industries outside the classified service. ~~The department shall provide other staff~~
5 ~~services to the prison industries board within the classified service.~~

6 **SECTION 3910bh.** 303.015 (title) of the statutes is renumbered 303.01 (3) (title)
7 and amended to read:

8 303.01 (3) (title) **Prison industries board** DUTIES OF THE DEPARTMENT.

9 **SECTION 3910bm.** 303.015 (1) (intro.) of the statutes is renumbered 303.01 (3)
10 (a) (intro.) and amended to read:

11 303.01 (3) (a) (intro.) ~~The prison industries board has the following powers and~~
12 ~~duties~~ In the administration of the prison industries program, the department shall:

13 **SECTION 3910br.** 303.015 (1) (a) of the statutes is repealed.

14 **SECTION 3910bz.** 303.015 (1) (b) of the statutes is renumbered 303.01 (3) (a)
15 1. and amended to read:

16 303.01 (3) (a) 1. ~~The board shall develop~~ Develop a plan containing
17 recommendations for the manufacture and marketing of prison industries products,
18 the provision of prison industries services and the provision of research and
19 development activities. Whenever feasible, the plan shall include research activities
20 with a facility involved in the composting of solid waste and sludge from wastewater
21 treatment facilities. The plan may include, but is not limited to, recommended
22 market research, product modifications, manufacturing techniques, pricing policies,
23 advertising and elimination or establishment of specific industries or products. No

1 prison industry may be established or permanently closed without approval of the
2 board department.

3 **SECTION 3910cc.** 303.015 (1) (c) of the statutes is repealed.

4 **SECTION 3910ch.** 303.015 (1) (d) of the statutes is repealed.

5 **SECTION 3910cm.** 303.015 (1) (e) of the statutes is renumbered 303.01 (3) (a)
6 2. and amended to read:

7 303.01 (3) (a) 2. ~~The board shall review~~ Review and either approve or deny a
8 proposal under s. 303.06 (5) to offer for sale in the open market a product or type of
9 product manufactured in whole or in part by inmates as part of a hobby-craft
10 program or vocational training. Once the ~~board~~ department has approved the sale
11 of a particular product or type of product under this ~~paragraph~~ subdivision, the
12 product or type of product may be offered for sale by any tax-supported or nonprofit
13 agency under s. 303.06 (5) without further approval by the ~~board~~ department under
14 this ~~paragraph~~ subdivision.

15 **SECTION 3910cr.** 303.015 (2) of the statutes is renumbered 303.01 (3) (b) and
16 amended to read:

17 303.01 (3) (b) ~~When exercising its powers performing its duties under this~~
18 subsection, the ~~board~~ department shall consider the effect of its actions on private
19 business, industry and labor.

20 **SECTION 3910cz.** 303.015 (3) of the statutes is renumbered 303.01 (3) (c) and
21 amended to read:

22 303.01 (3) (c) In this ~~section~~ subsection, “prison industries” does not include any
23 correctional farm operation.

24 **SECTION 3910dc.** 303.06 (4) (c) of the statutes is amended to read:

1 303.06 (4) (c) Prior to the establishment of a prison industry under s. 303.01
2 (1) (b) relating to providing by-products of mattresses or by-products of paint from
3 prison industries recycling operations, and providing related notice under s. 303.01
4 (1) ~~and receiving related approval under s. 303.015 (1) (b)~~ and prior to entering into
5 a contract under par. (b), the department shall provide written notification of the
6 intent to provide those by-products or to enter into a contract to provide those
7 by-products. The department shall provide the notification to those trade
8 organizations and labor unions that the department determines would be interested
9 in receiving the information. The notification shall include specific information on
10 the proposal, the proposal's impact on private business, industry and labor and, if
11 applicable, the method for the trade organization or labor union to communicate with
12 the joint committee on finance before its hearing under s. 303.01 (1) (c) and with the
13 ~~board~~ department before it acts under s. ~~303.015 (1) (b)~~ 303.01 (3) (a) 1.

14 **SECTION 3910dh.** 303.06 (5) of the statutes is amended to read:

15 303.06 (5) A tax-supported institution or a nonprofit agency may offer for sale
16 in the open market products manufactured in whole or in part by inmates in a state
17 penal institution as part of a hobby-craft program or vocational training if the
18 purpose of the sale is to support the institution's or agency's mission or is for some
19 other charitable purpose and if the sale of that product or type of product has been
20 approved by the ~~prison industries board~~ department under s. ~~303.015 (1) (e)~~ 303.01
21 (3) (a) 2.”.

22 **1013.** Page 1634, line 20: after that line insert:

23 “**SECTION 3957m.** 340.01 (23v) of the statutes is amended to read:

1 340.01 (23v) “Ignition interlock device” means a device which measures the
2 person’s alcohol concentration and which is installed on a vehicle in such a manner
3 that the vehicle will not start if the sample shows that the person has a ~~prohibited~~
4 an alcohol concentration of 0.04 or more.”.

5 **1014.** Page 1634, line 24: after that line insert:

6 “**SECTION 3960m.** 341.01 (2) of the statutes is renumbered 341.01 (2) (intro.)
7 and amended to read:

8 341.01 (2) (intro.) In this chapter notwithstanding:

9 (a) Notwithstanding s. 340.01 (24), “implement of husbandry” means a vehicle
10 or piece of equipment or machinery designed for agricultural purposes, used
11 exclusively in the conduct of agricultural operations and used principally off a
12 highway, or a trailer-mounted bulk liquid fertilizer container.

13 **SECTION 3961m.** 341.01 (2) (b) of the statutes is created to read:

14 341.01 (2) (b) Notwithstanding s. 340.01 (42), “owner” means, with respect to
15 a vehicle that is leased to a lessee for a period of one year or more, the lessee of the
16 vehicle for purposes of vehicle registration under this chapter.”.

17 **1015.** Page 1635, line 8: after “department” insert “, submitted to a dealer or
18 local police department under s. 341.09 (2m) or (2r) for transmittal to the
19 department”.

20 **1016.** Page 1635, line 11: delete “or the” and substitute “unless the”.

21 **1017.** Page 1635, line 13: after that line insert:

22 “**SECTION 3962j.** 341.04 (1) (a) of the statutes is amended to read:

23 341.04 (1) (a) A vehicle may be operated by a private person after the date of
24 purchase or commencement of the lease of such vehicle by such private person or

1 after the date such person moved to this state if application for registration, except
2 for registration under s. 341.30 or 341.305, and certificate of title has been made.”.

3 **1018.** Page 1635, line 14: delete “, as affected by 1997 Wisconsin”.

4 **1019.** Page 1635, line 15: delete “Act (this act),”.

5 **1020.** Page 1635, line 17: delete “or commencement of the lease”.

6 **1021.** Page 1635, line 20: after that line insert:

7 “**SECTION 3963m.** 341.04 (1) (c) of the statutes is created to read:

8 341.04 (1) (c) Notwithstanding any other provision of this chapter, if a vehicle
9 is owned by a lessor of vehicles and is leased to a lessee for a period of one year or more
10 and the vehicle was registered in the name of the lessor before the effective date of
11 this paragraph [revisor inserts date], the department may renew the registration
12 in the name of the lessor in lieu of registration of the vehicle by the lessee. This
13 paragraph does not apply to any subsequent lease of the vehicle by a lessor.”.

14 **1022.** Page 1636, line 6: after that line insert:

15 “**SECTION 3968m.** 341.08 (2) (am) of the statutes is created to read:

16 341.08 (2) (am) If the owner under par. (a) is a lessee, the name of the lessor.

17 **SECTION 3969m.** 341.08 (2) (bm) of the statutes is created to read:

18 341.08 (2) (bm) If applicable, the name of the town, city or village in which the
19 lessor resides and, if the lessor resides in a 1st or 2nd class city, the lessor’s true
20 residential or business address.

21 **SECTION 3970m.** 341.08 (2) (e) of the statutes is amended to read:

22 341.08 (2) (e) Such further information as the department may reasonably
23 require to enable it to determine whether the vehicle is by law entitled to registration
24 or to enable it to determine the proper applicant or registration fee for the vehicle.

1 **SECTION 3971m.** 341.08 (4m) of the statutes is amended to read:

2 341.08 (**4m**) At least 30 days prior to the expiration of a vehicle's registration,
3 the department shall mail to the last-known address of the registrant ~~or, if the~~
4 ~~vehicle is subject to a lease agreement, of the lessee designated by the registrant,~~ a
5 notice of the date upon which the registration must be renewed and an application
6 form for renewal of registration. The application form or an accompanying document
7 shall include a list of any unpaid citations for nonmoving traffic violations or any
8 judgments for violation of ch. 110, 194 or 341 to 350, an administrative rule of the
9 department, or an ordinance enacted in accordance with s. 349.06, including parking
10 violations, entered against the registrant which remain unpaid. The list of unpaid
11 citations for nonmoving traffic violations shall be based on information obtained
12 under s. 345.28 (4). The list of unpaid judgments shall be based on information
13 obtained under s. 345.47 (1) (d). If there is a citation for any nonmoving traffic
14 violation entered against the registrant ~~or designated lessee~~ which is unpaid, he or
15 she shall be notified that the vehicle may not be registered until the citation is paid
16 or the registrant ~~or designated lessee~~ appears in court to respond to the citation. If
17 there is a judgment entered against the registrant ~~or designated lessee~~ which is
18 unpaid, he or she shall be notified that the vehicle may not be registered until the
19 judgment is paid.”.

20 **1023.** Page 1636, line 10: after “(2m)” insert “, (2r)”.

21 **1024.** Page 1636, line 21: delete “design” and substitute “size, color, design,
22 form and specifications”.

23 **1025.** Page 1636, line 22: delete “(2), (2m)” and substitute “(2m), (2r)”.

1 **1026.** Page 1636, line 24: after “plates.” insert “All temporary operation
2 plates issued under sub. (2m), (2r) or (9) for an automobile, station wagon or any
3 other vehicle having a gross vehicle weight rating of 8,000 pounds or less shall
4 contain a registration number composed of letters or numbers.”.

5 **1027.** Page 1636, line 24: after that line insert:

6 “**SECTION 3971hb.** 341.09 (1) (c) of the statutes is created to read:

7 341.09 (1) (c) Notwithstanding subs. (2m) (a) 1. b. and (2r), a dealer or a local
8 police department may collect a special handling fee of not more than \$5 if the dealer
9 or police department provides special assistance to a person who is applying for a
10 temporary operation plate under sub. (2m) (a) 1. b. or (2r).”.

11 **1028.** Page 1637, line 1: delete lines 1 to 25 and substitute:

12 “**SECTION 3971mm.** 341.09 (2) (g) of the statutes is created to read:

13 341.09 (2) (g) A temporary operation plate may not be issued under this
14 subsection to a state resident for use on an automobile, station wagon or any other
15 vehicle having a gross vehicle weight rating of 8,000 pounds or less.”.

16 **1029.** Page 1638, line 1: delete lines 1 to 9 and substitute:

17 “**SECTION 3972df.** 341.09 (2m) (a) of the statutes is amended to read:

18 341.09 (2m) (a) Upon request by a dealer licensed in this state, the department
19 may issue any number of temporary operation plates to a dealer under sub. (2) at a
20 fee of \$3 per plate. The dealer may issue the temporary operation plate at a fee of
21 \$3 to any state resident who purchases or leases from the dealer any type of vehicle
22 except buses, for-hire vehicles and vehicles which are subject to registration under
23 the international registration plan if the state is a party to such plan or vehicles
24 which are subject to registration under s. 341.41 (9). The department shall prescribe

1 the manner in which a dealer shall keep records of temporary operation plates issued
2 by the dealer.

3 **SECTION 3972dg.** 341.09 (2m) (a) of the statutes, as affected by 1997 Wisconsin
4 Act (this act), is renumbered 341.09 (2m) (a) 1. (intro.) and amended to read:

5 341.09 **(2m)** (a) 1. (intro.) Upon request by a dealer licensed in this state, the
6 department may issue any number of temporary operation plates to a dealer under
7 sub. (2) at a fee of \$3 per plate. The dealer may issue the temporary operation plate
8 at a fee of \$3 to any of the following:

9 a. Except as provided in subd. 2., a state resident who purchases or leases from
10 the dealer any type of vehicle except buses, for-hire vehicles and vehicles which are
11 subject to registration under the international registration plan if the state is a party
12 to such plan or vehicles which are subject to registration under s. 341.41 (9), for use
13 on such vehicle.

14 3. The department shall prescribe the manner in which a dealer shall keep
15 records of temporary operation plates issued by the dealer.

16 **SECTION 3972dj.** 341.09 (2m) (a) 1. b. of the statutes is created to read:

17 341.09 **(2m)** (a) 1. b. A state resident who purchases an automobile, station
18 wagon or any other vehicle having a gross vehicle weight rating of 8,000 pounds or
19 less from a person other than the dealer for use on such vehicle if the state resident
20 submits to the dealer a complete application for registration of the vehicle, including
21 evidence of any inspection under s. 110.20 when required, and for a new certificate
22 of title for the vehicle, together with a check or money order made payable to the
23 department for all applicable title, registration, security interest and sales tax
24 moneys, for transmittal to the department by the dealer.

25 **SECTION 3972dm.** 341.09 (2m) (a) 2. of the statutes is created to read:

1 341.09 (2m) (a) 2. Notwithstanding subd. 1., the department shall issue a
2 sufficient number of temporary operation plates without charge to each dealer
3 licensed in this state for issuance under this subdivision. Each dealer shall issue a
4 temporary operation plate without charge to any state resident who purchases from
5 the dealer an automobile, station wagon or any other vehicle having a gross vehicle
6 weight rating of 8,000 pounds or less, for use on such vehicle if the state resident
7 submits to the dealer a complete application for registration of the vehicle, including
8 evidence of inspection under s. 110.20 when required, and for a new certificate of title
9 for the vehicle, together with a check or money order made payable to the department
10 for all applicable title, registration, security interest and sales tax moneys, for
11 transmittal to the department by the dealer.”.

12 **1030.** Page 1638, line 11: after that line insert:

13 “**SECTION 3973c.** 341.09 (4) of the statutes is amended to read:

14 341.09 (4) Upon receipt of an application and a fee of \$3, the department shall
15 register a vehicle purchased or leased in this state by a nonresident for a period not
16 to exceed 30 days. The department shall determine the size, color, design, form and
17 specifications of a plate issued under this subsection. The plate may be similar or
18 identical to a plate issued under sub. (2). The department may issue the plates to
19 dealers at a fee of \$3 per plate in the manner and for the purpose provided in sub.
20 (2m).”.

21 **1031.** Page 1638, line 12: delete lines 12 to 24.

22 **1032.** Page 1639, line 1: delete lines 1 to 15 and substitute:

23 “**SECTION 3972jm.** 341.09 (2r) of the statutes is created to read:

1 341.09 (2r) The department of transportation shall issue a sufficient number
2 of temporary operation plates without charge to each local police department. The
3 local police department shall issue a temporary operation plate without charge to a
4 state resident for use on an automobile, station wagon or any other vehicle having
5 a gross vehicle weight rating of 8,000 pounds or less if the state resident submits to
6 the police department a complete application for registration of the vehicle,
7 including evidence of any inspection under s. 110.20 when required, and for a new
8 certificate of title for the vehicle, together with a check or money order made payable
9 to the department of transportation for all applicable title, registration, security
10 interest and sales tax moneys, for transmittal to the department of transportation
11 by the police department. The department of transportation shall prescribe the
12 manner in which a local police department shall keep records of temporary operation
13 plates issued by the police department.

14 **SECTION 3973jm.** 341.09 (9) of the statutes is created to read:

15 341.09 (9) Notwithstanding any other provision of this section, the department
16 shall issue a temporary operation plate without charge for an automobile, station
17 wagon or any other vehicle having a gross vehicle weight rating of 8,000 pounds or
18 less upon receipt of a complete application accompanied by the required fee for
19 registration of the vehicle, including evidence of any inspection under s. 110.20 when
20 required, if the department does not immediately issue the regular registration
21 plates for the vehicle and the department determines that the applicant has not
22 otherwise been issued a temporary operation plate under this section.”.

23 **1033.** Page 1639, line 16: delete lines 16 to 20 and substitute:

24 **“SECTION 3974m.** 341.10 (1) of the statutes is amended to read:

1 341.10 (1) The required state fee and any municipal vehicle registration fee
2 imposed by the town, village or city in which the vehicle is customarily kept has not
3 been paid for the specific vehicle, and the department may refuse registration of a
4 vehicle if such fees for the current period or for any previous period for which
5 payment of a registration fee is required by law have not been paid on any other
6 vehicles owned ~~or leased~~ by the applicant for registration.

7 **SECTION 3975mm.** 341.10 (3) of the statutes is amended to read:

8 341.10 (3) A certificate of title is a prerequisite to registration of the vehicle
9 and, except for an applicant who is the lessee of a vehicle, the applicant does not hold
10 a valid certificate of title and is not entitled to the issuance of a certificate of title.

11 **SECTION 3976m.** 341.10 (3) of the statutes, as affected by 1997 Wisconsin Act
12 (this act), is repealed and recreated to read:

13 341.10 (3) A certificate of title is a prerequisite to registration of the vehicle
14 and, except for an applicant who is the lessee of a vehicle, a valid certificate of title
15 has not been issued to the applicant for the vehicle and the applicant is not entitled
16 to the issuance of a certificate of title.

17 **SECTION 3977m.** 341.14 (1q) of the statutes is amended to read:

18 341.14 (1q) If any employer who provides an automobile or station wagon, or
19 a motor truck, dual purpose motor home or dual purpose farm truck which has a
20 gross weight of not more than 8,000 pounds, a farm truck which has a gross weight
21 of not more than 12,000 pounds or a motor home, ~~whether owned or leased by the~~
22 ~~employer~~, for an employe's use submits to the department a statement once every 4
23 years, as determined by the department, from a physician licensed to practice
24 medicine in any state, from an advanced practice nurse licensed to practice nursing
25 in any state, from a physician assistant certified to practice in any state, from a

1 chiropractor licensed to practice chiropractic in any state or from a Christian Science
2 practitioner residing in this state and listed in the Christian Science journal
3 certifying that the employe is a person with a disability that limits or impairs the
4 ability to walk, the department shall issue and deliver to such employer plates of a
5 special design in lieu of the plates which ordinarily would be issued for the vehicle,
6 and shall renew the plates. The plates shall be so designed as to readily apprise law
7 enforcement officers of the fact that the vehicle is operated by a disabled person and
8 is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition
9 to the registration fee may be made for the issuance or renewal of the plates. The
10 plates shall conform to the plates required in sub. (1a).

11 **SECTION 3978m.** 341.14 (1r) (a) of the statutes is amended to read:

12 341.14 (1r) (a) If any resident of this state who is registering or has registered
13 an automobile or station wagon, or a motor truck, dual purpose motor home or dual
14 purpose farm truck which has a gross weight of not more than 8,000 pounds, a farm
15 truck which has a gross weight of not more than 12,000 pounds or a motor home
16 submits a statement once every 4 years, as determined by the department, certifying
17 to the department that the vehicle is leased to a person who qualifies for special
18 plates under sub. (1) or (1a) together with the information required under sub. (1)
19 or (1a), the department shall issue and deliver to the resident, plates of the
20 appropriate special design under sub. (1) or (1a) in lieu of the plates which ordinarily
21 would be issued for the vehicle, and shall renew the plates. No charge in addition
22 to the registration fee shall be made for the issuance or renewal of the plates. No
23 plates may be issued and delivered to a resident under this paragraph on or after the
24 effective date of this paragraph [revisor inserts date].”

1 **1034.** Page 1639, line 20: after that line insert:

2 “**SECTION 3976m.** 341.13 (1) (intro.) of the statutes is amended to read:

3 341.13 (1) (intro.) In addition to the matter specified in s. 341.12 (3),
4 registration plates for automobiles registered pursuant to the ~~monthly series~~
5 registration system under s. 341.27, except automobiles registered under s. 341.14
6 (6r) or 341.145 (1) (c), shall comply with the following specifications:”.

7 **1035.** Page 1641, line 6: after that line insert:

8 “**SECTION 3989g.** 341.14 (6r) (bm) of the statutes, as affected by 1995 Wisconsin
9 Act 445, section 14, is repealed.”.

10 **1036.** Page 1642, line 25: delete that line.

11 **1037.** Page 1643, line 1: delete lines 1 to 6 and substitute:

12 “**SECTION 3990mm.** 341.14 (6r) (g) (intro.) of the statutes is amended to read:

13 341.14 (6r) (g) (intro.) ~~Except as provided in par. (bm) 1., if~~ If an individual in
14 possession of special plates under par. (f) 33., 34. or 48. or of personalized plates
15 under s. 341.145 (1) (c) of the same color and design as special plates under par. (f)
16 33., 34. or 48. does not maintain membership in the applicable authorized special
17 group during a year which is not a plate issuance year, the individual shall:

18 **SECTION 3991m.** 341.14 (6r) (g) (intro.) of the statutes, as affected by 1997
19 Wisconsin Act (this act), is repealed and recreated to read:

20 341.14 (6r) (g) (intro.) If an individual in possession of special plates under par.
21 (f) 33., 34. or 48. or of personalized plates under s. 341.145 (1) (c) of the same color
22 and design as special plates under par. (f) 33., 34. or 48. does not maintain
23 membership in the applicable authorized special group during a year which is not
24 a plate issuance year, the individual shall do all of the following:”.

1 **1038.** Page 1643, line 12: after that line insert:

2 “**SECTION 3998q.** 341.145 (4) of the statutes, as affected by 1997 Wisconsin Act
3 (this act), is amended to read:

4 341.145 (4) Each personalized registration plate issued shall be reserved for
5 the recipient in succeeding registration periods and shall not be duplicated for
6 issuance to any other person if the recipient maintains the plate, unless the recipient
7 authorizes the issuance of the plate to another person. If the recipient does not
8 maintain the plate for 2 successive years which are not plate issuance years or if the
9 recipient does not specifically request reissuance of the personalized registration
10 plate by the end of the month in date on which the plate expires in a plate issuance
11 year, the department may issue the personalized registration plate to another
12 applicant.”.

13 **1039.** Page 1643, line 12: after that line insert:

14 “**SECTION 3994m.** 341.14 (7) of the statutes is amended to read:

15 341.14 (7) The department shall disseminate information to all applicants for
16 registration plates under sub. (1), (1a), (1e), (1m), or (1q) ~~or (1r)~~ (a) relating to the
17 parking privileges granted under s. 346.50 (2), (2a) or (3) and their right to request
18 enforcement of s. 346.505.

19 **SECTION 3996m.** 341.145 (1g) (c) of the statutes, as created by 1995 Wisconsin
20 Act 350, is amended to read:

21 341.145 (1g) (c) The department may issue personalized registration plates
22 under sub. (1) (d) to a person who qualifies for special plates under s. 341.14 (1) ~~or~~,
23 if in lieu of special plates under s. 341.14 (1), s. 341.14 (1r).

1 **SECTION 3997m.** 341.145 (1g) (d) of the statutes, as created by 1995 Wisconsin
2 Act 350, is amended to read:

3 341.145 **(1g)** (d) The department may issue personalized registration plates
4 under sub. (1) (e) to a person who qualifies for special plates under s. 341.14 (1a), (1m)
5 or (1q) ~~or, if in lieu of special plates under s. 341.14 (1a), s. 341.14 (1r).~~

6 **SECTION 3998m.** 341.145 (4) of the statutes is amended to read:

7 341.145 **(4)** Each personalized registration plate issued shall be reserved for
8 the recipient ~~or, in the case of a leased vehicle, for the lessee~~ in succeeding
9 registration periods and shall not be duplicated for issuance to any other person if
10 the recipient ~~or lessee~~ maintains the plate, unless the recipient ~~or, in the case of a~~
11 ~~leased vehicle, the lessee~~ authorizes the issuance of the plate to another person. If
12 the recipient ~~or, in the case of a leased vehicle, the lessee~~ does not maintain the plate
13 for 2 successive years which are not plate issuance years or if the recipient ~~or lessee~~
14 does not specifically request reissuance of the personalized registration plate by the
15 end of the month in which the plate expires in a plate issuance year, the department
16 may issue the personalized registration plate to another applicant.”.

17 **1040.** Page 1644, line 5: after that line insert:

18 **“SECTION 4000g.** 341.16 (2m) of the statutes is amended to read:

19 341.16 **(2m)** Upon request therefor and payment of a fee of \$10, the department
20 may issue an applicant for replacement plates for an automobile registered pursuant
21 to the ~~monthly series~~ registration system under s. 341.27 registration plates of the
22 design specified in s. 341.13 for the plate issuance cycle next succeeding the cycle
23 under which the original plates were issued. The department may limit the receipt

1 of requests under this subsection to applicants for a renewal registration of a motor
2 vehicle.

3 **SECTION 4000j.** 341.17 (1) of the statutes is amended to read:

4 341.17 (1) At intervals selected by the department, the department shall
5 compile a list of registrations made during that interval pursuant to the monthly
6 series system of registering automobiles under s. 341.27. The list shall give the name
7 and address of each registrant, the registration number assigned, and other
8 identifying information as the department deems necessary.”.

9 **1041.** Page 1644, line 7: delete “\$45” and substitute “\$50”.

10 **1042.** Page 1644, line 22: delete “\$ 48.50” and substitute “\$ 49.50”.

11 **1043.** Page 1644, line 23: delete “55” and substitute “56”.

12 **1044.** Page 1644, line 24: delete “67.50” and substitute “69.50”.

13 **1045.** Page 1644, line 25: delete “80.50” and substitute “82.50”.

14 **1046.** Page 1645, line 1: delete “93.50” and substitute “95.50”.

15 **1047.** Page 1645, line 2: delete “106.50” and substitute “109”.

16 **1048.** Page 1645, line 3: delete “119.50” and substitute “122”.

17 **1049.** Page 1645, line 5: delete “\$ 48.50” and substitute “\$ 49.50”.

18 **1050.** Page 1645, line 6: delete “61.50” and substitute “62.50”.

19 **1051.** Page 1645, line 7: delete “77.50” and substitute “79”.

20 **1052.** Page 1645, line 8: delete “119.50” and substitute “122”.

21 **1053.** Page 1645, line 9: delete “161” and substitute “165”.

22 **1054.** Page 1645, line 10: delete “218” and substitute “223.50”.

- 1 **1055.** Page 1645, line 11: delete “274” and substitute “280.50”.
- 2 **1056.** Page 1645, line 12: delete “365.50” and substitute “374”.
- 3 **1057.** Page 1645, line 13: delete “468.50” and substitute “479.50”.
- 4 **1058.** Page 1645, line 14: delete “593.50” and substitute “607”.
- 5 **1059.** Page 1645, line 15: delete “708.50” and substitute “725”.
- 6 **1060.** Page 1645, line 16: delete “818” and substitute “837”.
- 7 **1061.** Page 1645, line 17: delete “873” and substitute “893”.
- 8 **1062.** Page 1645, line 18: delete “930” and substitute “951.50”.
- 9 **1063.** Page 1645, line 19: delete “1,051.50” and substitute “1,076”.
- 10 **1064.** Page 1645, line 20: delete “1,187” and substitute “1,214.50”.
- 11 **1065.** Page 1645, line 21: delete “1,350” and substitute “1,381.50”.
- 12 **1066.** Page 1645, line 22: delete “1,600.50” and substitute “1,638”.
- 13 **1067.** Page 1645, line 23: delete “1,969.50” and substitute “2,015”.
- 14 **1068.** Page 1646, line 4: after that line insert:
- 15 “SECTION 4003t. 341.255 (5) of the statutes is created to read:
- 16 341.255 (5) In addition to the regular registration fee specified in s. 341.25 (1)
- 17 (a) or (b) or (2) (a) to (c), the department shall charge a late fee of \$10 for each
- 18 transaction relating to the renewal of a registration under s. 341.25 (1) (a) or (b) or
- 19 (2) (a) to (c) that is filed after the date of expiration of registration.”.
- 20 **1069.** Page 1646, line 4: after that line insert:
- 21 “SECTION 4004m. 341.26 (2) (m) of the statutes is amended to read:

1 341.26 (2) (m) A motor vehicle leased or owned and operated by a voluntary
2 nonprofit organization and used exclusively for rescue work. In this paragraph,
3 “rescue work” means the rendering of first aid and emergency transportation to
4 persons in need of immediate medical attention.”.

5 **1070.** Page 1646, line 7: delete “\$45” and substitute “\$46”.

6 **1071.** Page 1646, line 15: delete “\$ 26” and substitute “\$ 26.50”.

7 **1072.** Page 1646, line 16: delete “36.50” and substitute “37.50”.

8 **1073.** Page 1646, line 17: delete “43” and substitute “44”.

9 **1074.** Page 1646, line 18: delete “60” and substitute “61.50”.

10 **1075.** Page 1646, line 19: delete “77.50” and substitute “79”.

11 **1076.** Page 1646, line 20: delete “109.50” and substitute “112”.

12 **1077.** Page 1646, line 21: delete “142” and substitute “145”.

13 **1078.** Page 1646, line 22: delete “190.50” and substitute “194.50”.

14 **1079.** Page 1646, line 23: delete “245” and substitute “251”.

15 **1080.** Page 1646, line 24: delete “309.50” and substitute “317”.

16 **1081.** Page 1646, line 25: delete “371” and substitute “379.50”.

17 **1082.** Page 1647, line 1: delete “425.50” and substitute “435.50”.

18 **1083.** Page 1647, line 2: delete “456” and substitute “466.50”.

19 **1084.** Page 1647, line 3: delete “487” and substitute “498.50”.

20 **1085.** Page 1647, line 4: delete “551.50” and substitute “564.50”.

21 **1086.** Page 1647, line 5: delete “622.50” and substitute “637”.

22 **1087.** Page 1647, line 6: delete “709.50” and substitute “726”.

1 **1088.** Page 1647, line 7: delete “838.50” and substitute “858”.

2 **1089.** Page 1647, line 8: delete “1,032” and substitute “1,056”.

3 **1090.** Page 1648, line 18: after that line insert:

4 “**SECTION 4010c.** 341.27 (1) of the statutes is amended to read:

5 341.27 (1) All automobiles, other than those that may be registered under s.
6 ~~341.265~~, 341.26 (2), 341.265, 341.266 or 341.268 or are required by s. 341.29 to be
7 registered on a calendar-year basis, shall be registered by the department according
8 to the ~~monthly series~~ system of registration prescribed by this section.

9 **SECTION 4010e.** 341.27 (2) of the statutes is repealed.

10 **SECTION 4010g.** 341.27 (3) (intro.) of the statutes is amended to read:

11 341.27 (3) (intro.) All automobiles subject to ~~registration under the monthly~~
12 ~~series~~ the registration system under this section shall be registered by the
13 department for a period of ~~12 consecutive calendar months~~ one year except as follows:

14 **SECTION 4010j.** 341.27 (3) (a) of the statutes is amended to read:

15 341.27 (3) (a) Except as provided in s. 341.28 (2) (c), if the applicant holds
16 current registration plates which were removed from an automobile which the
17 applicant no longer owns or which has been junked, is no longer used on the highways
18 or has been registered as a special interest vehicle under s. 341.266 (2) (a) or a
19 reconstructed, replica, street modified or homemade vehicle under s. 341.268 (2) (a),
20 and the plates were issued under the ~~monthly series~~ system of registration
21 prescribed by this section, the department shall register the automobile which is the
22 subject of the application for the remainder of the unexpired registration period.

23 **SECTION 4010m.** 341.28 (1) of the statutes is amended to read:

1 341.28 (1) The applicant for registration of an automobile under the monthly
2 series system of registration prescribed by s. 341.27 shall pay in full the annual
3 registration fee prescribed by law, except as otherwise provided in this section.

4 **SECTION 4010p.** 341.28 (2) (intro.) of the statutes is amended to read:

5 341.28 (2) (intro.) If the applicant for registration holds current registration
6 plates which were removed from an automobile which the applicant no longer owns
7 or which has been junked, is no longer being used on the highways or has been
8 registered as a special interest vehicle under s. 341.266 (2) (a) or a reconstructed,
9 replica, street modified or homemade vehicle under s. 341.268 (2) (a), and the plates
10 were issued under the ~~monthly series system~~ of registration prescribed by s. 341.27,
11 the applicant is exempt from the payment of a registration fee, except in the following
12 cases:

13 **SECTION 4011q.** 341.28 (2) (b) of the statutes, as affected by 1997 Wisconsin Act
14 (this act), is amended to read:

15 341.28 (2) (b) If the automobile which is the subject of the application was
16 owned by the applicant at ~~the any time of and on or before the 15th day of~~ during the
17 month in which the transfer, termination of the consumer lease, discontinuance of
18 use on the highways, junking or registration under s. 341.266 (2) (a) or 341.268 (2)
19 (a) of the other automobile occurred and was not currently registered at the time of
20 such transfer, termination of the consumer lease, discontinuance of use on the
21 highways, junking or registration under s. 341.266 (2) (a) or 341.268 (2) (a), the
22 applicant shall pay a fee to be computed as provided in subs. (3) to (5) but shall receive
23 a credit for the unused portion of the current registration. The credit shall be
24 computed on the basis of one-twelfth of the annual fee paid for the vehicle from which
25 the plates were removed multiplied by the number of months remaining in the

1 registration period represented by the removed plates, including the month during
2 which the applicant transferred, discontinued to use on the highways, junked or
3 registered under s. 341.266 (2) (a) or 341.268 (2) (a) or terminated the consumer lease
4 of the automobile from which the plates were removed if the transfer, termination
5 of the consumer lease, discontinuance of use on the highways, junking or registration
6 under s. 341.266 (2) (a) or 341.268 (2) (a) occurred on or before the 15th day of the
7 month.

8 **SECTION 4012q.** 341.28 (7) (a) of the statutes, as affected by 1997 Wisconsin Act
9 (this act), is amended to read:

10 341.28 (7) (a) If the first operation of The registration period for an automobile
11 commences when the first operation of the automobile under circumstances making
12 the owner liable for its registration in this state occurs ~~on or before the 15th day of~~
13 ~~a given month, the registration period commences on the first day of such month.~~
14 ~~If the first operation occurs on or after the 16th day of a given month, the registration~~
15 ~~period commences on the first day of the following month. “First. For purposes of this~~
16 paragraph, “first operation” means operation of an automobile for the first time after
17 it was transferred or leased to the applicant or after it was registered in another state
18 or after an active service refund or after the expiration of 12 months of nonoperation
19 since expiration of the last registration in this state or after it was no longer used on
20 the highways.”.

21 **1091.** Page 1648, line 18: after that line insert:

22 “**SECTION 4011m.** 341.28 (2) (b) of the statutes is amended to read:

23 341.28 (2) (b) If the automobile which is the subject of the application was
24 owned by the applicant at the time of and on or before the 15th day of the month in

1 which the transfer, termination of the consumer lease, discontinuance of use on the
2 highways, junking or registration under s. 341.266 (2) (a) or 341.268 (2) (a) of the
3 other automobile occurred and was not currently registered at the time of such
4 transfer, termination of the consumer lease, discontinuance of use on the highways,
5 junking or registration under s. 341.266 (2) (a) or 341.268 (2) (a), the applicant shall
6 pay a fee to be computed as provided in subs. (3) to (5) but shall receive a credit for
7 the unused portion of the current registration. The credit shall be computed on the
8 basis of one-twelfth of the annual fee paid for the vehicle from which the plates were
9 removed multiplied by the number of months remaining in the registration period
10 represented by the removed plates, including the month during which the applicant
11 transferred, discontinued to use on the highways, junked or registered under s.
12 341.266 (2) (a) or 341.268 (2) (a) or terminated the consumer lease of the automobile
13 from which the plates were removed if the transfer, termination of the consumer
14 lease, discontinuance of use on the highways, junking or registration under s.
15 341.266 (2) (a) or 341.268 (2) (a) occurred on or before the 15th day of the month.

16 **SECTION 4012m.** 341.28 (7) (a) of the statutes is amended to read:

17 341.28 (7) (a) If the first operation of an automobile under circumstances
18 making the owner liable for its registration in this state occurs on or before the 15th
19 day of a given month, the registration period commences on the first day of such
20 month. If the first operation occurs on or after the 16th day of a given month, the
21 registration period commences on the first day of the following month. "First
22 operation" means operation of an automobile for the first time after it was
23 transferred or leased to the applicant or after it was registered in another state or
24 after an active service refund or after the expiration of 12 months of nonoperation

1 since expiration of the last registration in this state or after it was no longer used on
2 the highways.

3 **SECTION 4013m.** 341.28 (7) (b) of the statutes is amended to read:

4 341.28 (7) (b) In the case of an automobile which has not previously been
5 registered or which has not been registered in this state by the present owner since
6 the owner last acquired ownership of the automobile, the department shall assume
7 that the date of first operation within the meaning of par. (a) is the date of the bill
8 of sale evidencing the transfer of ownership to the applicant or, with respect to a
9 leased vehicle, the date of commencement of the lease by the applicant, unless the
10 applicant files with the department a statement that the automobile was not so
11 operated until a later date, specifying the date of such first operation. In the case of
12 at least 12 months of nonoperation of an automobile previously registered by the
13 applicant, the applicant must file with the department a statement that he or she did
14 not operate or consent to the operation of the automobile under circumstances
15 making it subject to registration in this state during such 12-month period and must
16 specify the date following such period when the automobile was first so operated.
17 The department may refuse to accept a statement which projects the date of first
18 operation into the future.

19 **SECTION 4014m.** 341.305 (2) (bm) of the statutes is amended to read:

20 341.305 (2) (bm) A motor truck or truck tractor which is owned ~~or~~ leased by a
21 retail lumberyard and used exclusively to transport building construction materials
22 from that lumberyard to a building construction site.

23 **SECTION 4015m.** 341.31 (1) (b) 2. of the statutes is amended to read:

24 341.31 (1) (b) 2. The vehicle was transferred or leased to the applicant after the
25 expiration of the last registration in this state; or

1 **SECTION 4016m.** 341.31 (1) (b) 5. of the statutes is amended to read:

2 341.31 (1) (b) 5. The vehicle is a motorcycle which has been transferred or
3 leased to the applicant and for which current registration plates had been issued to
4 the previous owner; or

5 **SECTION 4017m.** 341.31 (1) (b) 6. of the statutes is amended to read:

6 341.31 (1) (b) 6. The vehicle which has been transferred to or leased by the
7 applicant is a motor home or a motor truck, dual purpose motor home or dual purpose
8 farm truck which had been registered by the previous owner at a gross weight of
9 8,000 pounds or less or is a farm truck which had been registered by the previous
10 owner at a gross weight of 12,000 pounds or less; or

11 **SECTION 4018m.** 341.31 (2) (a) of the statutes is amended to read:

12 341.31 (2) (a) For vehicles registered under the conditions in sub. (1) (a), (b) or
13 (d), the fee for the current registration period shall be computed on the basis of
14 one-twelfth of the annual registration fee or one twenty-fourth of the biennial
15 registration fee prescribed for the vehicle multiplied by the number of months of the
16 current registration period which have not fully expired on the date the vehicle first
17 is operated by or with the consent of the applicant under circumstances making it
18 subject to registration in this state plus, in case of a quarterly registration, \$5. In
19 the case of a vehicle which has not previously been registered or which has not been
20 registered in this state by the present owner since the owner last acquired ownership
21 of the vehicle, the department shall assume that the date of first operation is the date
22 of the bill of sale evidencing transfer of ownership to the applicant or, with respect
23 to a leased vehicle, the date of commencement of the lease by the applicant, unless
24 he or she files with the department a statement that the vehicle was not so operated
25 until a later date, specifying the date of such first operation. The department may

1 refuse to accept any statement which projects the date of first operation into the
2 future.

3 **SECTION 4019m.** 341.31 (4) (a) of the statutes is amended to read:

4 341.31 (4) (a) The transferee or lessee of a vehicle registered as provided in s.
5 341.29, 341.295 or 341.30 is not subject to the payment of any registration fee for the
6 remainder of the period for which the vehicle is registered unless, by reason of his
7 or her status or the use to which the vehicle is put, the fee prescribed by law is higher
8 than that paid by the former owner. In such event, the fee shall be computed on the
9 basis of one-twelfth of the difference between the 2 annual fees multiplied by the
10 number of months of the current registration period which have not fully expired on
11 the date, after the vehicle is acquired by the applicant, when such vehicle is first
12 operated by him or her or with his or her consent under circumstances making it
13 subject to registration in this state.

14 **SECTION 4020m.** 341.31 (4) (b) of the statutes is amended to read:

15 341.31 (4) (b) A person retaining a set of plates removed from a vehicle under
16 s. 342.15 (4) (a) or 342.34 (1) (c) or (2) (c) and which was junked or transferred, is no
17 longer leased to the person or used on the highways or has been registered as a
18 special interest vehicle under s. 341.266 (2) (a) or a reconstructed, replica, street
19 modified or homemade vehicle under s. 341.268 (2) (a) may receive credit for the
20 unused portion of the registration fee paid when registering a replacement vehicle
21 of the same type and gross weight.

22 **SECTION 4021m.** 341.31 (5) of the statutes is amended to read:

23 341.31 (5) This section does not apply to vehicles registered at a fee of \$5 under
24 s. 341.26. Such vehicles, whether registered for a full period or part thereof and
25 whether or not previously registered, shall be registered at the full fee. If a person

1 authorized to register a vehicle at a fee of \$5 under s. 341.26 transfers the vehicle to
2 a person not so authorized or no longer leases the vehicle, the fee payable by the
3 transferee shall be computed as for a vehicle not previously registered in this state.

4 **SECTION 4022g.** 341.33 (3) of the statutes is amended to read:

5 341.33 (3) Upon request, the department shall refund 50% of a registration fee
6 paid for a vehicle registered on a biennial basis if the person who registered the
7 vehicle furnishes such proof as the department requires that the person has
8 transferred his or her interest in the vehicle or terminated leasing the vehicle before
9 the beginning of the 2nd year of the period for which the vehicle is registered or that
10 the vehicle will not be operated in this state after the beginning of the 2nd year of
11 the period for which the vehicle is registered. The department may require the
12 person to return the certificate of registration and registration plates for the vehicle
13 to the department. Except as provided in sub. (1), the department may not refund
14 more than 50% of the fee paid for the registration of a vehicle registered on a biennial
15 basis.”.

16 **1092.** Page 1648, line 21: after that line insert:

17 **“SECTION 4023m.** 341.40 (2) of the statutes is amended to read:

18 341.40 (2) If the owner of any such vehicle moves to Wisconsin or if the vehicle
19 is purchased by or leased to a Wisconsin resident, the vehicle immediately becomes
20 subject to the laws of this state providing for the registration of vehicles.

21 **SECTION 4028m.** 341.65 (1) (am) of the statutes is created to read:

22 341.65 (1) (am) “Owner” has the meaning given in s. 340.01 (42) and, with
23 respect to a vehicle that is registered, or required to be registered, by a lessee of the
24 vehicle under this chapter, includes the lessee of the vehicle.”.

1 **1093.** Page 1649, line 20: after that line insert:

2 “**SECTION 4036g.** 342.06 (1) (k) of the statutes is created to read:

3 342.06 (1) (k) If the vehicle is an automobile, station wagon or any other vehicle
4 having a gross vehicle weight rating of 8,000 pounds or less and a temporary
5 operation plate has been issued for the vehicle under s. 341.09 (2m) (a) 1. b. or 2. or
6 (2r), the registration number of the temporary operation plate.”.

7 **1094.** Page 1650, line 4: delete “\$7.50” and substitute “\$8.50”.

8 **1095.** Page 1650, line 7: delete “for a new vehicle being” and substitute “or
9 (3)”.

10 **1096.** Page 1650, line 8: delete “registered for the first time”.

11 **1097.** Page 1650, line 10: after “management.” insert “This subsection does
12 not apply after June 30, 2001.”.

13 **1098.** Page 1650, line 12: delete “\$7.50” and substitute “\$8.50”.

14 **1099.** Page 1650, line 13: after that line insert:

15 “**SECTION 4046m.** 342.15 (4) (a) of the statutes is amended to read:

16 342.15 (4) (a) If the vehicle being transferred is a motorcycle or an automobile
17 or station wagon registered under ~~the monthly series system~~ s. 341.27 or a motor
18 home or a motor truck, dual purpose motor home or dual purpose farm truck which
19 has a gross weight of not more than 8,000 pounds or a farm truck which has a gross
20 weight of not more than 12,000 pounds, the owner shall remove the registration
21 plates and retain and preserve them for use on any other vehicle of the same type and
22 gross weight which may subsequently be registered in his or her name.”.

23 **1100.** Page 1650, line 13: after that line insert:

1 **“SECTION 4044r.** 342.14 (3m) of the statutes is amended to read:

2 342.14 **(3m)** Upon filing an application under sub. (1) or (3), a ~~nonpoint source~~
3 ~~pollution~~ supplemental title fee of \$7.50 by the owner of the vehicle, except that this
4 fee shall be waived with respect to an application under sub. (3) for transfer of a
5 decedent’s interest in a vehicle to his or her surviving spouse. The fee specified under
6 this subsection is in addition to any other fee specified in this section.”.

7 **1101.** Page 1651, line 8: after that line insert:

8 **“SECTION 4060f.** 342.34 (1) (c) of the statutes is amended to read:

9 342.34 **(1)** (c) If the vehicle is a motorcycle or an automobile or station wagon
10 registered under the ~~monthly series system s. 341.27~~ or a motor home or a motor
11 truck, dual purpose motor home or dual purpose farm truck which has a gross weight
12 of not more than 8,000 pounds or a farm truck which has a gross weight of not more
13 than 12,000 pounds, the owner shall remove the registration plates and retain and
14 preserve them for use on any other vehicle of the same type which may subsequently
15 be registered in his or her name. If the vehicle is not a motorcycle or an automobile
16 or station wagon registered under the ~~monthly series system s. 341.27~~, or a motor
17 home or a motor truck, dual purpose motor home or dual purpose farm truck which
18 has a gross weight of not more than 8,000 pounds or a farm truck which has a gross
19 weight of not more than 12,000 pounds, he or she shall remove and destroy the
20 plates.”.

21 **1102.** Page 1651, line 8: after that line insert:

22 **“SECTION 4058m.** 342.30 (1) of the statutes is renumbered 342.30 (1g).

23 **SECTION 4059m.** 342.30 (1c) of the statutes is created to read:

1 342.30 (1c) In this section, “owner” includes the lessee of a vehicle if the vehicle
2 is registered, or required to be registered, by the lessee under ch. 341.

3 **SECTION 4059p.** 342.30 (3) (a) of the statutes is amended to read:

4 342.30 (3) (a) Any person who violates sub. ~~(1)~~ (1g) may be fined not more than
5 \$5,000 or imprisoned for not more than 5 years or both.

6 **SECTION 4059t.** 342.30 (4) (a) of the statutes is amended to read:

7 342.30 (4) (a) If a law enforcement agency finds a vehicle or part of a vehicle
8 on which the identification number has been removed, altered or obliterated or made
9 impossible to read, the law enforcement agency may seize the vehicle or part of a
10 vehicle. If the identification number cannot be identified, the seized vehicle or
11 vehicle part is presumed to be contraband. If the identification number can be
12 identified, the agency may return the vehicle to the registered owner. Except as
13 provided in par. (b), the district attorney shall institute forfeiture proceedings under
14 s. 973.076 regarding any vehicle or vehicle part that is seized under this paragraph
15 and not returned to the owner.

16 **SECTION 4060m.** 342.40 (1) of the statutes is renumbered 342.40 (1m).

17 **SECTION 4061m.** 342.40 (1c) of the statutes is created to read:

18 342.40 (1c) In this section, “owner” includes the lessee of a vehicle if the vehicle
19 is registered, or required to be registered, by the lessee under ch. 341.”.

20 **1103.** Page 1652, line 19: after that line insert:

21 **“SECTION 4067gc.** 343.10 (2) (a) 1. of the statutes is amended to read:

22 343.10 (2) (a) 1. Except for a revocation or suspension that arose out of the same
23 incident or occurrence for which the person’s license or operating privilege is
24 currently revoked or suspended, the person’s license or operating privilege was not

1 revoked or suspended previously under s. 961.50 or under this chapter or ch. 344 or
2 s. 161.50, except under s. 344.40, within the one-year period immediately preceding
3 the present revocation or suspension, ~~except as provided in s. 344.40.~~ This
4 subdivision does not apply to a person applying for an occupational license whose
5 license or operating privilege is currently revoked or suspended because of a
6 conviction, suspension or revocation, as counted under s. 343.307 (1), if the sole
7 reason that the person's license or operating privilege was previously revoked or
8 suspended within the one-year period immediately preceding the present revocation
9 or suspension was for a conviction, suspension or revocation, as counted under s.
10 343.307 (1).

11 **SECTION 4067gf.** 343.10 (2) (e) of the statutes is amended to read:

12 343.10 (2) (e) If the court orders a person to submit to and comply with an
13 assessment and driver safety plan and if the person has ~~2 or more prior~~ any
14 convictions, suspensions or revocations, as counted under s. 343.307 (1), within the
15 previous 10-year period, no occupational license may be granted until the person has
16 completed the assessment and is complying with the driver safety plan.

17 **SECTION 4067gi.** 343.10 (5) (a) 1. of the statutes is renumbered 343.10 (5) (a)

18 1. a. and amended to read:

19 343.10 (5) (a) 1. a. In addition to any restrictions appearing on the former
20 operator's license of the applicant and except as provided in this subd. 1. a., the
21 occupational license shall contain definite restrictions as to hours of the day, not to
22 exceed 12, hours per week, not to exceed 60, type of occupation and areas or routes
23 of travel which are permitted under the license. The occupational license may permit
24 travel to and from church during specified hours if the travel does not exceed the
25 restrictions as to hours of the day and hours per week in this ~~subdivision~~ subd. 1. a.

1 The occupational license may permit travel necessary to comply with a driver safety
2 plan ordered under s. 343.30 (1q) or 343.305 if the travel does not exceed the
3 restrictions as to hours of the day and hours per week in this subdivision subd. 1. a.
4 The restrictions under this subd. 1. a. do not apply to an occupational license that
5 restricts the applicant's operation under the occupational license to motor vehicles
6 that are equipped with a functioning ignition interlock device as provided under s.
7 346.65 (6).

8 b. The occupational license may contain restrictions on the use of alcohol and
9 of controlled substances and controlled substance analogs in violation of s. 961.41.

10 **SECTION 4067gm.** 343.10 (5) (a) 3. of the statutes is amended to read:

11 343.10 (5) (a) 3. If the applicant has ~~2 or more prior convictions, suspensions~~
12 ~~or revocations~~ any conviction, suspension or revocation, as counted under s. 343.307
13 (1), within the previous 10-year period, the occupational license of the applicant ~~may~~
14 shall restrict the applicant's operation under the occupational license to vehicles that
15 are equipped with a functioning ignition interlock device as provided under s. 346.65
16 (6). The ignition interlock device restriction under this subdivision does not apply
17 if an applicant has only one conviction, as counted under s. 343.307 (1), within the
18 previous 10-year period, the conviction resulted from the person having an alcohol
19 concentration of less than 0.12, as reported to the department under s. 343.305 (7)
20 (a), and the applicant does not have any suspension or revocation as the result of the
21 refusal to submit to chemical testing, as counted under s. 343.307 (1) (e) or (f), within
22 the previous 10-year period. A person to whom a restriction under this subdivision
23 applies violates that restriction if he or she requests or permits another to blow into
24 an ignition interlock device or to start a motor vehicle equipped with an ignition
25 interlock device for the purpose of providing the person an operable motor vehicle

1 without the necessity of first submitting a sample of his or her breath to analysis by
2 the ignition interlock device. In addition to the penalties under sub. (8), if a person
3 requests or permits another to blow into an ignition interlock device or to start a
4 motor vehicle equipped with an ignition interlock device for the purpose of providing
5 the person with an operable motor vehicle without the necessity of first submitting
6 a sample of his or her breath to analysis by the ignition interlock device, the period
7 of the ignition interlock device restriction shall be increased by the amount of time
8 from the issuance of the restricted occupational license under this subdivision to the
9 date of violation of the ignition interlock device restriction.

10 **SECTION 4067gp.** 343.10 (5) (a) 4. of the statutes is created to read:

11 343.10 (5) (a) 4. If the department issues a person an occupational license
12 under sub. (7) restricted to operating motor vehicles equipped with an ignition
13 interlock device, the department shall inform the person of the ignition interlock
14 program under s. 110.10 and that he or she is liable for the reasonable costs of
15 equipping any motor vehicle that he or she operates with a functioning ignition
16 interlock device.

17 **SECTION 4067gr.** 343.10 (6) of the statutes is renumbered 343.10 (6) (a) and
18 amended to read:

19 343.10 (6) (a) ~~No~~ Except as provided in par. (b), no person may file an
20 application for an occupational license under sub. (1) unless he or she first pays a fee
21 of \$40 to the department ~~59.25 (3) (m).~~

22 **SECTION 4067gu.** 343.10 (6) (b) of the statutes is created to read:

23 343.10 (6) (b) No person whose operating privilege is restricted to operating
24 only vehicles equipped with an ignition interlock device may file an application for
25 an occupational license under sub. (1) unless he or she first pays a fee of \$70 to the

1 department. Forty-three percent of the fees collected under this paragraph shall be
2 credited to the appropriation account under s. 20.395 (5) (er).

3 **SECTION 4067gv.** 343.10 (7) (cm) of the statutes is amended to read:

4 343.10 (7) (cm) If the occupational license includes the restriction specified in
5 sub. (5) (a) 3., the department shall not issue the occupational license until the
6 applicant provides evidence satisfactory to the department that any a motor vehicle
7 that the applicant will be permitted to operate has been equipped with a functioning
8 ignition interlock device obtained from a service provider under s. 110.10.”.

9 **1104.** Page 1657, line 3: after that line insert:

10 “**SECTION 4093mc.** 343.21 (1) (j) of the statutes is renumbered 343.21 (1) (j) 1.
11 and amended to read:

12 343.21 (1) (j) 1. For Except as provided in subd. 2., for reinstatement of an
13 operating privilege previously revoked or suspended, \$50.

14 **SECTION 4093mf.** 343.21 (1) (j) 2. of the statutes is created to read:

15 343.21 (1) (j) 2. For reinstatement of an operating privilege previously revoked
16 or suspended, \$80 if the person’s operating privilege is restricted under s. 343.38 (5)
17 to operating vehicles equipped with an ignition interlock device and the person has
18 not paid a fee under s. 343.10 (6) (b) within the past 2 years. Thirty-eight percent
19 of the fees collected under this subdivision shall be credited to the appropriation
20 under s. 20.395 (5) (er).

21 **SECTION 4093mi.** 343.30 (1q) (b) 2. of the statutes is amended to read:

22 343.30 (1q) (b) 2. Except as provided in subd. 3., 4. or 4m., for the first
23 conviction, the court shall suspend the person’s operating privilege for not less than
24 6 months nor more than 9 months. If the person’s conviction resulted from the person

1 having an alcohol concentration of 0.12 or more, or if the court determines that an
2 ignition interlock device restriction is needed to ensure public safety, the court shall
3 order that, for the first 6 months that the person is authorized to operate a motor
4 vehicle after his or her conviction, either with an occupational license or a regular
5 license, the person be restricted to operating a motor vehicle equipped with an
6 ignition interlock device. The person is eligible for an occupational license under s.
7 343.10 at any time.

8 **SECTION 4093mj.** 343.30 (1q) (b) 3. of the statutes is amended to read:

9 343.30 (1q) (b) 3. Except as provided in subd. 4m., if the number of convictions,
10 suspensions and revocations within a 5-year period equals 2, the court shall revoke
11 the person's operating privilege for not less than one year nor more than 18 months
12 and the court shall order that, for the first 2 years that the person is authorized to
13 operate a motor vehicle after his or her conviction, either with an occupational
14 license or a regular license, the person be restricted to operating a motor vehicle
15 equipped with an ignition interlock device. After the first 60 days of the revocation
16 period, the person is eligible for an occupational license under s. 343.10 if he or she
17 has completed the assessment and is complying with the driver safety plan ordered
18 under par. (c).

19 **SECTION 4093mm.** 343.30 (1q) (b) 4. of the statutes is amended to read:

20 343.30 (1q) (b) 4. Except as provided in subd. 4m., if the number of convictions,
21 suspensions and revocations within a 10-year period equals 3 or more, the court
22 shall revoke the person's operating privilege for not less than 2 years nor more than
23 3 years and the court shall order that, for the first 2 years that the person is
24 authorized to operate a motor vehicle after his or her conviction, either with an
25 occupational license or a regular license, the person be restricted to operating a

1 motor vehicle equipped with an ignition interlock device. After the first 90 days of
2 the revocation period, the person is eligible for an occupational license under s.
3 343.10 if he or she has completed the assessment and is complying with the driver
4 safety plan ordered under par. (c).

5 **SECTION 4093mp.** 343.305 (4) (b) of the statutes is amended to read:

6 343.305 (4) (b) If testing is refused, a motor vehicle owned by the person may
7 be immobilized, seized and forfeited or equipped with an ignition interlock device if
8 the person has 2 or more prior suspensions, revocations or convictions within a
9 10-year period that would be counted under s. 343.307 (1) ~~and~~, the person's
10 operating privilege will be revoked under this section and the person will be
11 restricted to operating a motor vehicle equipped with an ignition interlock device for
12 a period after his or her operating privilege is reinstated;

13 **SECTION 4093ms.** 343.305 (4) (c) of the statutes is amended to read:

14 343.305 (4) (c) If one or more tests are taken and the results of any test indicate
15 that the person has a prohibited alcohol concentration and was driving or operating
16 a motor vehicle, the person will be subject to penalties, the person's operating
17 privilege will be suspended under this section, the person will be restricted to
18 operating a motor vehicle equipped with an ignition interlock device for a period after
19 his or her operating privilege is reinstated and a motor vehicle owned by the person
20 may be immobilized, seized and forfeited or equipped with an ignition interlock
21 device if the person has 2 or more prior convictions, suspensions or revocations
22 within a 10-year period that would be counted under s. 343.307 (1); and

23 **SECTION 4093mu.** 343.305 (10) (b) 2. of the statutes is amended to read:

24 343.305 (10) (b) 2. Except as provided in subd. 3., 4. or 4m., for the first
25 improper refusal, the court shall revoke the person's operating privilege for one year

1 and the court shall order that, for the first 6 months that the person is authorized
2 to operate a motor vehicle after his or her conviction, either with an occupational
3 license or a regular license, the person be restricted to operating a motor vehicle
4 equipped with an ignition interlock device. After the first 30 days of the revocation
5 period, the person is eligible for an occupational license under s. 343.10.

6 **SECTION 4093mw.** 343.305 (10) (b) 3. of the statutes is amended to read:

7 343.305 (10) (b) 3. Except as provided in subd. 4m., if the number of convictions,
8 suspensions and revocations in a 5-year period equals 2, the court shall revoke the
9 person's operating privilege for 2 years and the court shall order that, for the first 2
10 years that the person is authorized to operate a motor vehicle after his or her
11 conviction, either with an occupational license or a regular license, the person be
12 restricted to operating a motor vehicle equipped with an ignition interlock device.
13 After the first ~~90~~ 60 days of the revocation period, the person is eligible for an
14 occupational license under s. 343.10 if he or she has completed the assessment and
15 is complying with the driver safety plan.

16 **SECTION 4093mx.** 343.305 (10) (b) 4. of the statutes is amended to read:

17 343.305 (10) (b) 4. Except as provided in subd. 4m., if the number of convictions,
18 suspensions and revocations in a 10-year period equals 3 or more, the court shall
19 revoke the person's operating privilege for 3 years and the court shall order that, for
20 the first 2 years that the person is authorized to operate a motor vehicle after his or
21 her conviction, either with an occupational license or a regular license, the person
22 be restricted to operating a motor vehicle equipped with an ignition interlock device.
23 After the first ~~120~~ 90 days of the revocation period, the person is eligible for an
24 occupational license under s. 343.10 if he or she has completed the assessment and
25 is complying with the driver safety plan.”.

1 **1105.** Page 1657, line 3: after that line insert:

2 “**SECTION 4093mg.** 343.21 (1m) of the statutes is created to read:

3 343.21 **(1m)** In addition to the fee specified in sub. (1) (am), (b) or (d), an
4 applicant whose application for renewal of a license or authorization under sub. (1)
5 (am), (b) or (d) is filed after the date of expiration of the license or authorization shall
6 pay to the department a late fee of \$5.”.

7 **1106.** Page 1657, line 11: after that line insert:

8 “**SECTION 4100c.** 343.38 (5) of the statutes is amended to read:

9 343.38 **(5)** RESTRICTIONS ON LICENSE. If a court has ordered that the person’s
10 operating privilege be restricted for a period of time after the revocation period is
11 completed to operating vehicles equipped with an ignition interlock device, the
12 license issued under this section shall include that restriction. The department may
13 not issue the license until a service provider under s. 110.10 provides evidence
14 satisfactory to the department that the motor vehicle that the applicant will be
15 permitted to operate has been equipped with an ignition interlock device.

16 **SECTION 4100f.** 343.39 (3) of the statutes is amended to read:

17 343.39 **(3)** If a court has ordered that the person’s operating privilege be
18 restricted for a period of time after the suspension period is completed to operating
19 vehicles equipped with an ignition interlock device, the license shall include that
20 restriction. The department may not issue the license until a service provider under
21 s. 110.10 provides evidence satisfactory to the department that the motor vehicle
22 that the applicant will be permitted to operate has been equipped with an ignition
23 interlock device.

24 **SECTION 4100i.** 343.44 (2g) (a) of the statutes is amended to read:

1 343.44 (2g) (a) For the first conviction under this section or a local ordinance
2 in conformity with this section within a 5-year period the person shall forfeit not less
3 than ~~\$150~~ \$300 nor more than ~~\$600~~ \$1,200, except that, if the person's operating
4 privilege was revoked under ch. 351 at the time of the offense, the penalty shall be
5 a fine of not less than ~~\$150~~ \$300 nor more than ~~\$600~~ \$1,200.

6 **SECTION 4100L.** 343.44 (2g) (b) of the statutes is amended to read:

7 343.44 (2g) (b) For a 2nd conviction under this section or a local ordinance in
8 conformity with this section within a 5-year period, the person shall be fined not less
9 than ~~\$300~~ \$600 nor more than ~~\$1,000~~ \$2,000 and shall be imprisoned for not less
10 than 5 days nor more than 6 months.

11 **SECTION 4100p.** 343.44 (2g) (c) of the statutes is amended to read:

12 343.44 (2g) (c) For a 3rd conviction under this section or a local ordinance in
13 conformity with this section within a 5-year period, the person shall be fined not less
14 than ~~\$1,000~~ \$2,000 nor more than ~~\$2,000~~ \$4,000 and shall be imprisoned for not less
15 than 30 days nor more than 9 months.

16 **SECTION 4100s.** 343.44 (2g) (d) of the statutes is amended to read:

17 343.44 (2g) (d) For a 4th conviction under this section or a local ordinance in
18 conformity with this section within a 5-year period, the person shall be fined not less
19 than ~~\$1,500~~ \$3,000 nor more than ~~\$2,000~~ \$4,000 and shall be imprisoned for not less
20 than 60 days nor more than one year in the county jail.

21 **SECTION 4100v.** 343.44 (2g) (e) of the statutes is amended to read:

22 343.44 (2g) (e) For a 5th or subsequent conviction under this section or a local
23 ordinance in conformity with this section within a 5-year period, the person shall be
24 fined not less than ~~\$2,000~~ \$4,000 nor more than ~~\$2,500~~ \$5,000 and shall be
25 imprisoned for not less than 6 months nor more than one year in the county jail.

1 **SECTION 4100wg.** 343.44 (2m) (a) of the statutes is amended to read:

2 343.44 (**2m**) (a) For the first conviction under this section or a local ordinance
3 in conformity therewith within a 5-year period, be fined not less than ~~\$300~~ \$600 nor
4 more than ~~\$1,000~~ \$2,000 and imprisoned for not less than 6 days nor more than 10
5 days.

6 **SECTION 4100wm.** 343.44 (2m) (b) of the statutes is amended to read:

7 343.44 (**2m**) (b) For a 2nd conviction under this section or a local ordinance in
8 conformity therewith within a 5-year period, be fined not less than ~~\$1,000~~ \$2,000 nor
9 more than ~~\$2,000~~ \$4,000 and shall be imprisoned for not less than 30 days nor more
10 than 9 months.

11 **SECTION 4100wr.** 343.44 (2m) (c) of the statutes is amended to read:

12 343.44 (**2m**) (c) For a 3rd or subsequent conviction under this section or a local
13 ordinance in conformity therewith within a 5-year period, be fined not less than
14 ~~\$1,500~~ \$3,000 nor more than ~~\$5,000~~ \$10,000 and shall be imprisoned for not less than
15 60 days nor more than one year in the county jail.”.

16 **1107.** Page 1657, line 22: delete lines 22 to 25.

17 **1108.** Page 1658, line 1: delete lines 1 to 7.

18 **1109.** Page 1658, line 11: delete “\$12” and substitute “\$9”.

19 **1110.** Page 1658, line 11: delete “~~4~~ 8” and substitute “4”.

20 **1111.** Page 1658, line 13: delete “renumbered 343.50 (6) (a) and”.

21 **1112.** Page 1658, line 15: delete “(a)”.

22 **1113.** Page 1658, line 21: delete “\$12” and substitute “\$9”.

23 **1114.** Page 1658, line 21: delete “~~4~~ 8” and substitute “4”.

1 **1115.** Page 1658, line 22: delete lines 22 to 25.

2 **1116.** Page 1659, line 1: delete lines 1 to 5.

3 **1117.** Page 1659, line 7: after that line insert:

4 “**SECTION 4108m.** 343.51 (1) of the statutes is amended to read:

5 343.51 (1) Any person who qualifies for registration plates of a special design
6 under s. 341.14 (1), (1a), (1m); or (1q) ~~or (1r)(a)~~ or any other person with a disability
7 that limits or impairs the ability to walk may request from the department a special
8 identification card that will entitle any motor vehicle, other than a motorcycle,
9 parked by, or under the direction of, the person, or a motor vehicle, other than a
10 motorcycle, operated by or on behalf of the organization when used to transport such
11 a person, to parking privileges under s. 346.50 (2), (2a) and (3). The department shall
12 issue the card at a fee to be determined by the department, upon submission by the
13 applicant, if the applicant is an individual rather than an organization, of a
14 statement from a physician licensed to practice medicine in any state, from an
15 advanced practice nurse licensed to practice nursing in any state, from a physician
16 assistant certified to practice in any state, from a chiropractor licensed to practice
17 chiropractic in any state or from a Christian Science practitioner residing in this
18 state and listed in the Christian Science journal that the person is a person with a
19 disability that limits or impairs the ability to walk. The statement shall state
20 whether the disability is permanent or temporary and, if temporary, the opinion of
21 the physician, advanced practice nurse, physician assistant, chiropractor or
22 practitioner as to the duration of the disability. The department shall issue the card
23 upon application by an organization on a form prescribed by the department if the

1 department believes that the organization meets the requirements under this
2 subsection.”.

3 **1118.** Page 1659, line 22: after that line insert:

4 “**SECTION 4126m.** 344.01 (2) (cm) of the statutes is created to read:

5 344.01 (2) (cm) Notwithstanding s. 340.01 (42), “owner” means, with respect
6 to a vehicle that is registered, or is required to be registered, by a lessee of the vehicle
7 under ch. 341, the lessee of the vehicle.

8 **SECTION 4127m.** 344.02 (1) of the statutes is amended to read:

9 344.02 (1) Whenever the department under s. 344.13 gives notice of the amount
10 of security required to be deposited and that an order of revocation or impoundment
11 will be made if such security is not deposited, it shall afford the person so notified an
12 opportunity for a hearing on the proposed action, if written request for a hearing is
13 received by the department prior to the date specified in the notice, or prior to the
14 postponed effective date of revocation if postponement has been granted under s.
15 344.14 (1). Upon receipt of timely request for hearing, the department shall fix the
16 time and place of the hearing and give notice thereof to such person by regular mail.
17 The scope of the hearing is limited to the matter set forth in s. 344.14 (2) (k) and,
18 subject to s. 344.14 (2m), to whether or not the person is the owner of the motor
19 vehicle to be impounded. Any person who fails without reasonable cause to appear
20 at the time and place specified in the notice shall forfeit the right to a hearing.

21 **SECTION 4128m.** 344.14 (2m) of the statutes is created to read:

22 344.14 (2m) A motor vehicle may not be impounded under sub. (1m) if the
23 vehicle is registered, or is required to be registered, in the name of the lessee of the
24 vehicle.”.

1 **1119.** Page 1666, line 6: after that line insert:

2 “**SECTION 4167m.** 346.65 (6) (a) 1. of the statutes is renumbered 346.65 (6) (a)
3 1. (intro.) and amended to read:

4 346.65 (6) (a) 1. (intro.) Except as provided in this paragraph, the court may
5 order a law enforcement officer to seize a motor vehicle, or, if the motor vehicle is not
6 ordered seized, shall order a law enforcement officer the owner of a motor vehicle to
7 equip the motor vehicle with an ignition interlock device ~~or~~ under s. 110.10 or order
8 a law enforcement officer to immobilize any motor vehicle owned by the person whose
9 if the owner has 2 suspensions, revocations or convictions within a 10-year period,
10 as counted under s. 343.307 (1), and the owner:

11 a. Has had his or her operating privilege is revoked under s. 343.305 (10) ~~or~~
12 ~~who.~~

13 b. Has committed a violation of s. 346.63 (1) (a) or (b) or (2) (a) 1. or 2., 940.09
14 (1) (a) or (b) or 940.25 (1) (a) or (b) ~~if the person whose operating privilege is revoked~~
15 ~~under s. 343.305 (10) or who is convicted of the violation has 2 prior suspensions,~~
16 ~~revocations or convictions within a 10-year period that would be counted under s.~~
17 ~~343.307 (1).~~

18 1m. The court shall not order a motor vehicle equipped with an ignition
19 interlock device or immobilized if that order would result in undue hardship ~~or~~
20 ~~extreme inconvenience~~ or would endanger the health and safety of a person.

21 **SECTION 4167mm.** 346.65 (6) (a) 1r. of the statutes is created to read:

22 346.65 (6) (a) 1r. When ordering a person to equip a motor vehicle with an
23 ignition interlock device under subd. 1., the court may consider the person’s ability
24 to pay for the cost of complying with the order. If the court determines that the person

1 is unable to pay the full cost of complying with the order, the court may reduce the
2 amount of the fine imposed, but may not reduce the fine imposed below the minimum
3 fine specified for the violation.

4 **SECTION 4168m.** 346.65 (6) (d) of the statutes is amended to read:

5 346.65 (6) (d) At the hearing set under par. (c), the state has the burden of
6 proving to a reasonable certainty by the greater weight of the credible evidence that
7 the motor vehicle is a motor vehicle owned by a person who committed a violation of
8 s. 346.63 (1) (a) or (b) or (2) (a) 1. or 2., 940.09 (1) (a) or (b) or 940.25 (1) (a) or (b) and,
9 ~~if the seizure is under par. (a) 1., that the person had 2 prior convictions, suspensions~~
10 ~~or revocations within a 10-year period as counted under s. 343.307 (1) or, if the~~
11 seizure is under par. (a) 2., that the owner had 3 or more prior convictions,
12 suspensions or revocations within a 10-year period as counted under s. 343.307 (1).
13 If the owner of the motor vehicle proves by a preponderance of the evidence that he
14 or she was not convicted of a violation of s. 346.63 (1) (a) or (b) or (2) (a) 1. or 2., 940.09
15 (1) (a) or (b) or 940.25 (1) (a) or (b), or, ~~if the seizure is under par. (a) 1., that he or she~~
16 ~~did not have 2 prior convictions, suspensions or revocations within a 10-year period~~
17 ~~as counted under s. 343.307 (1) or, if the seizure is under par. (a) 2.,~~ that he or she
18 did not have 3 or more prior convictions, suspensions or revocations within a 10-year
19 period as counted under s. 343.307 (1), the motor vehicle shall be returned to the
20 owner upon the payment of storage costs.”.

21 **1120.** Page 1666, line 6: after that line insert:

22 “**SECTION 4165md.** 346.63 (2m) of the statutes is amended to read:

23 346.63 (2m) If a person has not attained the age of 19 legal drinking age, as
24 defined in s. 125.02 (8m), the person may not drive or operate a motor vehicle while

1 he or she has an alcohol concentration of more than 0.0 but not more than 0.1. One
2 penalty for violation of this subsection is suspension of a person’s operating privilege
3 under s. 343.30 (1p). The person is eligible for an occupational license under s. 343.10
4 at any time. If a person arrested for a violation of this subsection refuses to take a
5 test under s. 343.305, the refusal is a separate violation and the person is subject to
6 revocation of the person’s operating privilege under s. 343.305 (10) (em).”.

7 **1121.** Page 1666, line 6: after that line insert:

8 “**SECTION 4153m.** 346.01 of the statutes is renumbered 346.01 (1).

9 **SECTION 4154m.** 346.01 (2) of the statutes is created to read:

10 346.01 (2) In this chapter, notwithstanding s. 340.01 (42), “owner” means, with
11 respect to a vehicle that is registered, or is required to be registered, by a lessee of
12 the vehicle under ch. 341, the lessee of the vehicle for purposes of vehicle owner
13 liability under ss. 346.175, 346.195, 346.205, 346.457, 346.465, 346.485, 346.505 (3)
14 and 346.945.

15 **SECTION 4159m.** 346.175 (1) (a) of the statutes is amended to read:

16 346.175 (1) (a) The Subject to s. 346.01 (2), the owner of a vehicle involved in
17 a violation of s. 346.04 (3) for fleeing a traffic officer shall be presumed liable for the
18 violation as provided in this section.

19 **SECTION 4160m.** 346.195 (1) of the statutes is amended to read:

20 346.195 (1) The Subject to s. 346.01 (2), the owner of a vehicle involved in a
21 violation of s. 346.19 (1) for failing to yield the right-of-way to an authorized
22 emergency vehicle shall be liable for the violation as provided in this section.

23 **SECTION 4161m.** 346.205 (1) of the statutes is amended to read:

1 346.205 (1) The Subject to s. 346.01 (2), the owner of a vehicle involved in a
2 violation of s. 346.20 (1) for failing to yield the right-of-way to a funeral procession
3 shall be liable for the violation as provided in this section.

4 **SECTION 4162m.** 346.457 (1) of the statutes is amended to read:

5 346.457 (1) The Subject to s. 346.01 (2), the owner of a vehicle involved in a
6 violation of s. 346.455 (1) or (2) shall be liable for the violation as provided in this
7 subsection.

8 **SECTION 4163m.** 346.465 (1) of the statutes is amended to read:

9 346.465 (1) The Subject to s. 346.01 (2), the owner of a vehicle involved in a
10 violation of s. 346.46 (2m) shall be liable for the violation as provided in this section.

11 **SECTION 4164m.** 346.485 (1) of the statutes is amended to read:

12 346.485 (1) The Subject to s. 346.01 (2), the owner of a vehicle involved in a
13 violation of s. 346.48 (1) shall be liable for the violation as provided in this section.

14 **SECTION 4165m.** 346.505 (3) (a) of the statutes is amended to read:

15 346.505 (3) (a) The Subject to s. 346.01 (2), the owner of a vehicle involved in
16 a violation of sub. (2) shall be liable for the violation as provided in this subsection.”.

17 **1122.** Page 1666, line 23: after that line insert:

18 **“SECTION 4171m.** 346.665 of the statutes is created to read:

19 **346.665 Definition.** In ss. 346.67 to 346.72, notwithstanding s. 340.01 (42),
20 “owner” means, with respect to a vehicle that is registered, or required to be
21 registered, by a lessee of the vehicle under ch. 341, the lessee of the vehicle.

22 **SECTION 4176m.** 346.94 (13) of the statutes is amended to read:

1 346.94 (13) ABANDONED MOTOR VEHICLES. No person may cause a motor vehicle
2 to be abandoned, within the meaning of s. 342.40 (1) (1m) or (4) (b) 1., on or along any
3 highway or on any public or private property.

4 **SECTION 4177g.** 346.945 (1) (a) of the statutes is amended to read:

5 346.945 (1) (a) The Subject to s. 346.01 (2), the owner of a vehicle involved in
6 a violation of s. 346.94 (16) shall be presumed liable for the violation as provided in
7 this section.”.

8 **1123.** Page 1667, line 1: before that line insert:

9 “**SECTION 4179gg.** 347.413 (1) of the statutes is amended to read:

10 347.413 (1) No person may remove, disconnect, tamper with or otherwise
11 circumvent the operation of, or violate any requirement established by the
12 department regarding, an ignition interlock device installed in response to the court
13 order under s. ss. 343.30 (1q) (b) 2., 3. and 4., 343.305 (10) (b) 2., 3. and 4. and 346.65
14 (6). This subsection does not apply to the removal of an ignition interlock device upon
15 the expiration of the order requiring the motor vehicle to be so equipped or, to make
16 necessary repairs to a malfunctioning ignition interlock device by a person
17 authorized by the department or as the result of the person defaulting on any
18 agreement with a service provider, as defined in s. 110.10 (1) (b). No person may aid
19 or allow any other person to operate a motor vehicle without a functioning ignition
20 interlock device if that other person has been restricted to operating a motor vehicle
21 equipped with an ignition interlock device under ss. 343.30 (1q) (b) 2., 3. and 4.,
22 343.305 (10) (b) 2., 3. and 4. and 346.65 (6).

23 **SECTION 4179gm.** 347.413 (3) of the statutes is amended to read:

1 347.413 (3) The department shall design a warning label which shall be affixed
2 to each ignition interlock device upon installation. The label shall provide notice of
3 the penalties for tampering with or circumventing the operation of the ignition
4 interlock device under sub. (1) and s. ss. 343.10 (5) (a) 3. and 4., 343.30 (1q) (b) 2., 3.
5 and 4. and 343.305 (10) (b) 2., 3. and 4.

6 **SECTION 4179gr.** 347.50 (1t) of the statutes is created to read:

7 347.50 (1t) In addition to the penalties under sub. (1s), if a person violates s.
8 347.413 (1), the period of the ignition interlock device restriction on his or her
9 operating privilege shall be increased by the amount of time from the issuance of the
10 ignition interlock device restriction on his or her operating privilege to the date of the
11 violation of s. 347.413 (1).”.

12 **1124.** Page 1667, line 1: before that line insert:

13 **“SECTION 4179m.** 348.21 (2) (b) of the statutes is amended to read:

14 348.21 (2) (b) If the load on any wheel, axle or group of axles does not exceed
15 the weight prescribed in s. 348.15 (3) or 348.16 or in a declaration issued under s.
16 348.175 by more than ~~1,000~~ 2,000 pounds and if such excess can be reloaded within
17 the normal load carrying areas, on any other wheel, axle or axles, so that all wheels
18 and axles are then within the statutory limits, the operator may reload as provided
19 in this paragraph. A total of ~~1,000~~ 2,000 pounds per vehicle or combination of
20 vehicles may be reloaded under this subsection. If reloading is accomplished and all
21 axles or group of axles are within the legal limits, no forfeiture may be imposed. A
22 vehicle or combination of vehicles under this subsection which is not reloaded may
23 continue to be operated upon the highway, but a forfeiture of \$50 shall be imposed
24 for failure to reload. This forfeiture shall be paid upon the basis of the citation issued

1 by the official to the court named in the citation. Failure to pay shall subject the
2 operator to the penalty in par. (a) or sub. (3) (a). Violations under this subsection
3 shall not be considered as violations or prior convictions under par. (a) or sub. (3) (a)
4 or (b).”.

5 **1125.** Page 1667, line 14: after that line insert:

6 “**SECTION 4180k.** 348.27 (9m) (a) 1. of the statutes is amended to read:

7 348.27 (9m) (a) 1. Raw forest products or of fruits or vegetables from field to
8 storage or processing facilities in vehicles or vehicle combinations that exceed the
9 maximum gross weight limitations under s. 348.15 (3) (c) by not more than 10,000
10 pounds. A permit under this subdivision is not valid on highways designated as part
11 of the national system of interstate and defense highways, except on I 39 between
12 STH 29 south of Wausau and the I 90/94 interchange near Portage in Marathon,
13 Portage, Waushara, Marquette and Columbia counties.

14 **SECTION 4180m.** 348.27 (9m) (a) 3. of the statutes is created to read:

15 348.27 (9m) (a) 3. Bulk potatoes from storage facilities to food processing
16 facilities in vehicles or vehicle combinations that exceed the maximum gross weight
17 limitations under s. 348.15 (3) (c) by not more than 10,000 pounds. A permit under
18 this subdivision is not valid on highways designated as part of the national system
19 of interstate and defense highways, except on USH 51 between STH 64 near Merrill
20 and STH 29 south of Wausau in Lincoln and Marathon counties, and on I 39 between
21 STH 29 south of Wausau and the I 90/94 interchange near Portage in Marathon,
22 Portage, Waushara, Marquette and Columbia counties.

23 **SECTION 4180p.** 348.27 (9m) (b) of the statutes is amended to read:

1 348.27 **(9m)** (b) A permit issued under par. (a) does not authorize the operation
2 of any vehicle or vehicle combination at a maximum gross weight in excess of 90,000
3 pounds. ~~This subsection does not apply to highways designated as part of the~~
4 ~~national system of interstate and defense highways, except for that portion of USH~~
5 ~~51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and~~
6 ~~the I 90/94 interchange near Portage upon their federal designation as I 39.”~~

7 **1126.** Page 1667, line 14: after that line insert:

8 “**SECTION 4181m.** 349.13 (1) of the statutes is renumbered 349.13 (1e).

9 **SECTION 4182m.** 349.13 (1b) of the statutes is created to read:

10 349.13 **(1b)** In this section, “owner” includes the lessee of a vehicle if the vehicle
11 is registered, or required to be registered, by the lessee under ch. 341.

12 **SECTION 4183m.** 349.13 (2) (intro.) of the statutes is amended to read:

13 349.13 **(2)** (intro.) Except as provided in this subsection, neither the
14 department nor local authorities may extend stopping, standing or parking
15 privileges to areas where stopping, standing or parking is prohibited by ch. 346. The
16 department and local authorities, with respect to highways under their respective
17 jurisdictions as described in sub. (1) (1e) may:

18 **SECTION 4184m.** 349.137 (1) (a) of the statutes, as created by 1995 Wisconsin
19 Act 434, is repealed.

20 **SECTION 4185m.** 349.137 (3) (c) 2. e. of the statutes, as created by 1995
21 Wisconsin Act 434, is amended to read:

22 349.137 **(3)** (c) 2. e. That, if a parking enforcer uses an immobilization device
23 on a motor vehicle that is not parked in violation of a restriction against
24 unauthorized parking, the owner, lessee or operator shall not be required to pay a

1 removal fee and the parking enforcer shall be liable to the owner ~~or~~, lessee or operator
2 of the motor vehicle for an amount equal to the removal fee.

3 **SECTION 4186m.** 349.137 (3) (f) of the statutes, as created by 1995 Wisconsin
4 Act 434, is amended to read:

5 349.137 (3) (f) Require that, whenever a deferral agreement is signed, the
6 parking enforcer provide the owner, lessee or operator of the motor vehicle a copy of
7 the signed deferral agreement.

8 **SECTION 4187g.** 349.137 (3) (h) of the statutes, as created by 1995 Wisconsin
9 Act 434, is amended to read:

10 349.137 (3) (h) Require a parking enforcer who uses an immobilization device
11 on a motor vehicle that is not parked in violation of a restriction against
12 unauthorized parking to pay an amount equal to the removal fee to the owner, lessee
13 or operator of the motor vehicle within 14 days after the determination that the
14 immobilization device was used improperly.”.

15 **1127.** Page 1675, line 2: after that line insert:

16 “**SECTION 4196e.** 409.411 (title) of the statutes is repealed.

17 **SECTION 4196m.** 409.411 (1) of the statutes is repealed.

18 **SECTION 4196s.** 409.411 (2) of the statutes is renumbered 409.410 (3) and
19 amended to read:

20 409.410 (3) The department shall establish and maintain, ~~in consultation with~~
21 ~~the uniform commercial code statewide lien system council~~, computer and any other
22 services necessary to support the uniform commercial code statewide lien system
23 under s. ~~409.410~~ this section but may not maintain a central filing system, as defined
24 in 7 USC 1631 (c) (2), for farm products, as defined in 7 USC 1631 (c) (5).”.

1 **1128.** Page 1675, line 2: after that line insert:

2 “**SECTION 4196d.** 409.404 (1) (d) of the statutes is amended to read:

3 409.404 (1) (d) *Failure to file a termination statement.* If the affected secured
4 party fails to file a termination statement as required by this subsection, or to send
5 such a termination statement within 10 days after receipt of the debtor’s written
6 demand the secured party is liable to the debtor for \$25 \$500, and in addition is liable
7 for any loss caused to the debtor by such failure and for reasonable attorney fees and
8 court costs incurred by the debtor due to such failure.”.

9 **1129.** Page 1684, line 17: after that line insert:

10 “**SECTION 4291t.** 440.23 (2) (c) of the statutes is amended to read:

11 440.23 (2) (c) Pays the charge for an unpaid draft established by the ~~depository~~
12 ~~selection board~~ state treasurer under s. 20.905 (2).”.

13 **1130.** Page 1688, line 18: after that line insert:

14 “**SECTION 4315p.** 450.04 (3) (intro.) and (a) of the statutes are consolidated,
15 renumbered 450.04 (3) and amended to read:

16 450.04 (3) Every candidate for examination for licensure as a pharmacist shall
17 submit an application on a form provided by the department and pay the fee specified
18 in s. 440.05 (1) at least 30 days before the date of examination. Every candidate shall
19 also submit proof to the board that he or she: ~~(a) Has~~ has received a professional
20 degree from a pharmacy program approved by the board; ~~and.~~

21 **SECTION 4315r.** 450.04 (3) (b) of the statutes is repealed.

22 **SECTION 4315s.** 450.045 of the statutes is repealed.”.

23 **1131.** Page 1688, line 22: after that line insert:

24 “**SECTION 4316d.** 450.11 (1m) of the statutes is created to read:

1 450.11 (1m) ELECTRONIC TRANSMISSION. Except as provided in s. 453.068 (1) (c)
2 4., a practitioner may transmit a prescription order electronically only if the patient
3 approves the transmission and the prescription order is transmitted to a pharmacy
4 designated by the patient.”.

5 **1132.** Page 1689, line 7: after “(1)” insert “and, if applicable, sub. (1m)”.

6 **1133.** Page 1689, line 8: after that line insert:

7 “**SECTION 4316p.** 450.11 (7) (i) of the statutes is created to read:

8 450.11 (7) (i) No pharmacist, manufacturer, distributor, owner or operator of
9 a pharmacy or agent of a pharmacist, manufacturer, distributor or such an owner or
10 operator may give any compensation or anything of value to a practitioner for the
11 purpose of providing, or inducing the practitioner to obtain, any equipment,
12 computer software or access to a service that may be used for the electronic
13 transmission of a prescription order.”.

14 **1134.** Page 1689, line 25: after that line insert:

15 “**SECTION 4319r.** 453.068 (1) (c) 4. of the statutes is created to read:

16 453.068 (1) (c) 4. Transmit a prescription electronically unless the client
17 approves the transmission and the prescription is transmitted to a pharmacist or
18 veterinarian designated by the client.”.

19 **1135.** Page 1691, line 9: after that line insert:

20 “**SECTION 4327m.** 459.08 (1) of the statutes is amended to read:

21 459.08 (1) A person who holds a license shall notify the department in writing
22 or in accordance with other notification procedures approved by the department of
23 the regular address of the places where he or she engages or intends to engage in the

1 practice of fitting or selling hearing aids. The licensee shall inform the board of any
2 changes in these addresses within 30 days of the change.”.

3 **1136.** Page 1692, line 7: substitute “RECYCLING MARKET DEVELOPMENT.” for
4 “**Recycling market development.**”.

5 **1137.** Page 1696, line 20: delete “**loan and grant programs**” and substitute
6 “**grant program**”.

7 **1138.** Page 1697, line 3: delete “purposes” and substitute “purposes.
8 “Brownfields redevelopment” does not include construction of new facilities on the
9 site for any purpose other than environmental remediation activities”.

10 **1139.** Page 1697, line 4: delete lines 4 to 6.

11 **1140.** Page 1697, line 7: after “means” insert “investigation, analysis and
12 monitoring of a brownfields facility or site to determine the existence and extent of
13 actual or potential environmental pollution;”.

14 **1141.** Page 1697, line 20: delete “and (hm)” and substitute “, (q) and (qm)”.

15 **1142.** Page 1697, line 20: delete “loan” and substitute “grant”.

16 **1143.** Page 1697, line 21: delete lines 21 and 22, and substitute “development
17 corporation if all of the”.

18 **1144.** Page 1697, line 24: delete the material beginning with “loan” and
19 ending with “audit” on line 25 and substitute “grant proceeds for brownfields
20 redevelopment”.

21 **1145.** Page 1698, line 1: delete lines 1 to 5 and substitute:

1 “2. All of the following are unknown, cannot be located or are financially unable
2 to pay the cost of brownfields redevelopment or associated environmental
3 remediation activities:

4 a. The party that caused the portion of the environmental contamination that
5 is the basis for the grant request.

6 b. Any person who possessed or controlled the environmental contaminant that
7 is the basis for the grant request before the contaminant was released.”.

8 **1146.** Page 1698, line 7: delete lines 7 to 9.

9 **1147.** Page 1698, line 20: delete lines 20 to 25.

10 **1148.** Page 1699, line 1: delete “loans and”.

11 **1149.** Page 1699, line 19: delete that line and substitute:

12 “(am) From the appropriations under s. 20.143 (1) (br) and (qm) in fiscal year
13 1997–98, and from the appropriation under s. 20.143 (1) (qm) in fiscal year 1998–99,
14 the”.

15 **1150.** Page 1699, line 20: after “following” insert “in each of those fiscal
16 years”.

17 **1151.** Page 1699, line 21: on lines 21, 22 and 24, delete “loans” and substitute
18 “grants”.

19 **1152.** Page 1700, line 1: delete “loan or”.

20 **1153.** Page 1700, line 2: delete “and loans, in the aggregate,”.

21 **1154.** Page 1700, line 7: delete “loan or”.

22 **1155.** Page 1700, line 11: delete “loans and”.

23 **1156.** Page 1700, line 12: delete “loan or”.

1 **1157.** Page 1700, line 13: delete “and loan repayment criteria”.

2 **1158.** Page 1723, line 4: after that line insert:

3 “**SECTION 4442c.** 560.19 (1) (intro.) and (b) of the statutes are consolidated,
4 renumbered 560.19 (1) and amended to read:

5 560.19 (1) In this section: ~~(b) “Hazardous,~~ “hazardous pollution prevention”
6 has the meaning given in s. 299.13 (1) (c).

7 **SECTION 4442e.** 560.19 (1) (a) of the statutes is repealed.

8 **SECTION 4442g.** 560.19 (3) (intro.) of the statutes is repealed.

9 **SECTION 4442i.** 560.19 (3) (a) of the statutes is renumbered 560.19 (3) and
10 amended to read:

11 560.19 (3) In coordination with the hazardous pollution prevention program
12 under s. 36.25 (30), and the department of natural resources ~~and the council,~~ ~~conduct~~
13 the department shall conduct an education, environmental management and
14 technical assistance program to promote hazardous pollution prevention among
15 businesses in the state.

16 **SECTION 4442k.** 560.19 (3) (b) of the statutes is repealed.

17 **SECTION 4442m.** 560.19 (4) of the statutes is repealed.”.

18 **1159.** Page 1730, line 2: after “receive” insert “a grant under s. 560.615,”.

19 **1160.** Page 1730, line 11: delete “~~subd. 2. and~~” and substitute “subd. 2. 3.
20 and”.

21 **1161.** Page 1730, line 13: after that line insert:

22 “**SECTION 4483m.** 560.605 (1) (e) 3. of the statutes is created to read:

23 560.605 (1) (e) 3. For grants under s. 560.615, not less than 50% of the cost of
24 the management assessment and plan.”.

1 **1162.** Page 1730, line 15: on lines 15, 18 and 23, before “560.62” insert
2 “560.615”.

3 **1163.** Page 1731, line 1: on lines 1 and 9, before “560.62” insert “560.615”.

4 **1164.** Page 1731, line 15: after that line insert:

5 “**SECTION 4492c.** 560.615 of the statutes is created to read:

6 **560.615 Manufacturing assessment grants. (1)** The board may award a
7 grant not exceeding \$2,500 under s. 560.61 to a business operating for profit, with
8 500 or fewer employes, including employes of any subsidiary or affiliated
9 organization, to fund a management assessment and plan if all of the following
10 apply:

11 (a) The manufacturing assessment and plan are likely to assist the business
12 in adopting and implementing readily available and reasonably standardized new
13 manufacturing processes and technologies.

14 (b) The manufacturing assessment and plan are likely to help make the
15 business more competitive.

16 (c) The business commits to adopting and implementing the manufacturing
17 and technological changes recommended as a result of the manufacturing
18 assessment and plan.

19 **(2)** The total amount of grants made under this section may not exceed
20 \$750,000 in a fiscal biennium.”.

21 **1165.** Page 1732, line 23: before “560.62” insert “560.615”.

22 **1166.** Page 1734, line 6: after that line insert:

23 “**SECTION 4504j.** 560.71 (3) (a) of the statutes is amended to read:

1 560.71 (3) (a) Determine the number of development zones designated under
2 sub. (1) but may not designate more than ~~18~~ 22 development zones over the life of the
3 program.”.

4 **1167.** Page 1743, line 13: after that line insert:

5 “**SECTION 4549m.** 562.01 (intro.) of the statutes is amended to read:

6 **562.01 Definitions.** (intro.) ~~In~~ Except as provided in s. 562.124, in this
7 chapter:”.

8 **1168.** Page 1751, line 25: delete that line.

9 **1169.** Page 1752, line 1: delete lines 1 to 5 and substitute:

10 “**SECTION 4588d.** 562.045 (intro.) of the statutes is amended to read:

11 **562.045 Qualifications of administrator, other employes and**
12 **stewards.** (intro.) Notwithstanding ~~s. ss.~~ ss. 111.321, 111.322 and 111.335, no person
13 may serve as an administrator or other employe of the ~~racing division of gaming~~ or
14 as a steward employed by the ~~board~~ department or under contract with the ~~board~~
15 department if any of the following apply:”.

16 **1170.** Page 1767, line 16: delete the material beginning with that line and
17 ending with page 1768, line 2, and substitute:

18 “**SECTION 4663e.** 562.124 (1) of the statutes is renumbered 562.124 (1m) and
19 amended to read:

20 562.124 (1m) The ~~board~~ department may authorize on-track pari-mutuel
21 wagering on snowmobile racing at times and places, as determined by the ~~board~~
22 department, that do not conflict with ~~other~~ animal racing authorized by this chapter.

23 **SECTION 4663m.** 562.124 (1g) of the statutes is created to read:

1 562.124 (1g) In this section, “pari-mutuel” means a wagering system in which
2 all persons who wager on any snowmobile that finishes in any position for which
3 wagers are taken in a race share the total amount wagered on the race minus any
4 deductions from the wagers on that race required under rules promulgated under
5 sub. (2).

6 **SECTION 4663r.** 562.124 (2) of the statutes is amended to read:

7 562.124 (2) If the ~~board~~ department authorizes on-track pari-mutuel
8 wagering on snowmobile racing under sub. (1) (1m), the ~~board~~ department shall
9 regulate the pari-mutuel wagering and shall promulgate all rules necessary to
10 administer this section. The department may promulgate rules that require persons
11 who conduct snowmobile racing to be licensed by the department and the
12 department may charge a fee to any person licensed under this subsection to cover
13 the costs of the department in regulating on-track pari-mutuel wagering on
14 snowmobile racing. Through its rules, the ~~board~~ department shall do everything
15 necessary to ensure the public interest and protect the integrity of the sport of
16 snowmobile racing. If the department charges a fee to a person licensed under this
17 subsection, the department shall deposit the moneys received in the appropriation
18 account under s. 20.505 (8) (g).”.

19 **1171.** Page 1770, line 10: delete lines 10 to 13 and substitute:

20 “**SECTION 4675m.** 563.052 of the statutes is repealed.”.

21 **1172.** Page 1770, line 24: after that line insert:

22 “**SECTION 4677m.** 563.055 (2) (b) of the statutes is amended to read:

23 563.055 (2) (b) Pays the charge for an unpaid draft established by the
24 ~~depository selection board~~ state treasurer under s. 20.905 (2).”.

1 **1173.** Page 1785, line 20: after that line insert:

2 “**SECTION 4740v.** 565.02 (1) (b) (intro.) of the statutes is amended to read:

3 565.02 (1) (b) (intro.) Notwithstanding ~~s. ss. 111.321, 111.322 and 111.335~~, no
4 person may serve as the administrator if he or she has been convicted of, or entered
5 a plea of guilty or no contest to, any of the following.”.

6 **1174.** Page 1786, line 3: after that line insert:

7 “**SECTION 4742r.** 565.02 (2) (c) (intro.) of the statutes is amended to read:

8 565.02 (2) (c) (intro.) Notwithstanding ~~s. ss. 111.321, 111.322 and 111.335~~, no
9 person may be employed under par. (b) if he or she has been convicted of, or entered
10 a plea of guilty or no contest to, any of the following.”.

11 **1175.** Page 1788, line 2: after that line insert:

12 “**SECTION 4754g.** 565.10 (3) (a) (intro.) of the statutes is amended to read:

13 565.10 (3) (a) (intro.) Notwithstanding ~~s. ss. 111.321, 111.322 and 111.335~~, no
14 lottery retailer contract may be entered into with a person if, during the immediately
15 preceding 10 years, the person has been convicted of, or entered a plea of guilty or
16 no contest to, any of the following, unless the person has been pardoned.”.

17 **1176.** Page 1798, line 21: after that line insert:

18 “**SECTION 4794m.** 600.01 (2) (b) of the statutes, as affected by 1995 Wisconsin
19 Act 289, is amended to read:

20 600.01 (2) (b) Group or blanket insurance described in sub. (1) (b) 3. and 4. is
21 not exempt from ~~s. ss. 632.745, 632.747 or to 632.749 or ch. 633 or 635.~~”.

22 **1177.** Page 1798, line 21: after that line insert:

23 “**SECTION 4794c.** 600.01 (1) (b) 9. of the statutes is created to read:

1 600.01 (1) (b) 9. The publication and clearinghouse activities described in subd.
2 9. c., the association undertaking those activities, with respect to those activities, and
3 the association's periodic publication resulting from and furthering those activities
4 if all of the following apply:

5 a. The publication and clearinghouse activities are undertaken by an
6 association that is organized not for profit for religious and charitable purposes.

7 b. The publication activities of the association are limited to subscribers who
8 are members of the same church or religious denomination.

9 c. The publication activities of the association function as an organizational
10 clearinghouse that matches subscribers to the publications of the association who
11 have financial, physical or medical needs and subscribers to the publications of the
12 association who desire to financially assist with those needs and who have a present
13 ability to pay.

14 d. Although the association, through its publications, may suggest voluntary
15 payment levels between subscribers described in subd. 9. c., the association and the
16 subscribers do not assume any risk or make any promise of payment by the
17 association or any subscribers.

18 e. The association provides to each subscriber a written monthly statement
19 that lists the total dollar amount of qualified needs submitted for publication in the
20 previous month and the total dollar amount of qualified needs submitted that were
21 actually published and assigned for payment.

22 f. On or accompanying all written materials distributed by or on behalf of the
23 association, including applications, guidelines, promotional or informational
24 materials and periodic publications, the association provides the following written
25 disclaimer:

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ATTENTION

This publication is not issued by an insurance company, nor is it offered through an insurance company. This publication does not guarantee or promise that your medical bills will be published or assigned to others for payment. Whether anyone chooses to pay your medical bills is entirely voluntary. This publication should never be considered a substitute for an insurance policy. Whether or not you receive any payments for medical expenses, and whether or not this publication continues to operate, you are responsible for the payment of your own medical bills.

g. No payments between subscribers described in subd. 9. c. are made through the association.”.

1178. Page 1799, line 8: after that line insert:

“**SECTION 4796m.** 601.415 (4) of the statutes is repealed.”.

1179. Page 1800, line 18: after that line insert:

“**SECTION 4804b.** 609.77 of the statutes is created to read:

609.77 Coverage of breast reconstruction. Health maintenance organizations, limited service health organizations and preferred provider plans are subject to s. 632.895 (13).”.

1180. Page 1800, line 20: delete lines 20 and 21 and substitute:

“**609.78 Coverage of treatment for the correction of temporomandibular disorders.** Health maintenance organizations,”.

1181. Page 1801, line 1: delete “**services**” and substitute “**and ambulatory surgery center charges**”.

1182. Page 1809, line 9: delete lines 9 to 13 and substitute:

1 “**SECTION 4830ec.** 619.12 (2) (e) of the statutes, as affected by 1997 Wisconsin
2 Act (this act), is renumbered 149.12 (2) (e) and amended to read:

3 149.12 (2) (e) No person who is eligible for ~~health care benefits~~ creditable
4 coverage, other than those benefits specified in s. 632.745 (11) (b) 1. to 12., that are
5 is provided by an employer on a self-insured basis or through health insurance is
6 eligible for coverage under the plan.

7 **SECTION 4830em.** 619.12 (2) (e) 1. of the statutes is renumbered 619.12 (2) (e)
8 and amended to read:

9 619.12 (2) (e) ~~Except as provided in subd. 2., no~~ No person who is eligible for
10 health care benefits, other than those benefits specified in s. 632.745 (11) (b) 1. to 12.,
11 that are provided by an employer on a self-insured basis or through health insurance
12 is eligible for coverage under the plan.”.

13 **1183.** Page 1811, line 14: delete “(2) (a) 2.” and substitute “(2) (a) 3.”.

14 **1184.** Page 1812, line 1: delete that line and substitute:

15 “149.144 (title) **Insurer Adjustments to insurer assessments and**
16 **provider payment rates for**”.

17 **1185.** Page 1812, line 12: delete “increase” and substitute “increase adjust”.

18 **1186.** Page 1812, line 14: delete “(2) (a) 2.” and substitute “(2) (a) 3.”.

19 **1187.** Page 1812, line 14: delete “charges discount” and substitute
20 “payment”.

21 **1188.** Page 1812, line 15: delete “(2) (a) 3.” and substitute “(2) (a) 4.”.

22 **1189.** Page 1812, line 18: delete “the increase in the insurer” and substitute
23 “any increase in insurer”.

- 1 **1190.** Page 1813, line 17: on lines 17 and 22, delete “(2) (a) 3. or (3)”.
- 2 **1191.** Page 1813, line 19: after “446” insert “and certified under s. 49.45 (2)
3 (a) 11”.
- 4 **1192.** Page 1813, line 24: after “physician” insert “who is”.
- 5 **1193.** Page 1813, line 24: delete “when” and substitute “when if the service
6 or article is”.
- 7 **1194.** Page 1813, line 25: after “state” insert “and who is certified under s.
8 49.45 (2) (a) 11. and if the service or article is provided by a provider certified under
9 s. 49.45 (2) (a) 11.”.
- 10 **1195.** Page 1814, line 5: after “(intro.)” insert “, (a)”.
- 11 **1196.** Page 1814, line 7: after that line insert:
12 “(a) Any charge for treatment for cosmetic purposes other than surgery for the
13 repair or treatment of an injury or a congenital bodily defect. Breast reconstruction
14 incident to a mastectomy shall not be considered treatment for cosmetic purposes.”.
- 15 **1197.** Page 1818, line 15: on lines 15 and 23, delete “board” and substitute
16 “board department”.
- 17 **1198.** Page 1821, line 1: delete “by” and substitute “by”.
- 18 **1199.** Page 1821, line 16: delete lines 16 to 20 and substitute:
19 “**SECTION 4869m.** 619.15 (3) (f) of the statutes, as created by 1997 Wisconsin
20 Act (this act), is repealed.”.
- 21 **1200.** Page 1824, line 8: delete lines 8 to 11 and substitute:
22 “**SECTION 4891c.** 619.165 (1) (d) of the statutes is renumbered 619.165 (1) (d)
23 1. and amended to read:

1 619.165 (1) (d) 1. ~~The Subject to subd. 2., the~~ board shall establish and
2 implement the method for determining the household income of an eligible person
3 under par. (b).

4 **SECTION 4891m.** 619.165 (1) (d) 2. of the statutes is created to read:

5 619.165 (1) (d) 2. In determining household income under par. (b), the board
6 shall consider information submitted by an eligible person on a completed federal
7 profit or loss from farming form, schedule F, if all of the following apply:

8 a. The person is a farmer, as defined in s. 102.04 (3).

9 b. The person was not eligible to claim the homestead credit under subch. VIII
10 of ch. 71 in the preceding taxable year.

11 **SECTION 4891r.** 619.165 (1) (d) of the statutes, as affected by 1997 Wisconsin
12 Act (this act), is renumbered 149.165 (3), and 149.165 (3) (a) and (b) (intro.), as
13 renumbered, are amended to read:

14 149.165 (3) (a) ~~Subject to subd. 2., the board~~ par. (b), the department shall
15 establish and implement the method for determining the household income of an
16 eligible person under ~~par. (b)~~ sub. (2).

17 (b) (intro.) In determining household income under ~~par. (b), the board~~ sub. (2),
18 the department shall consider information submitted by an eligible person on a
19 completed federal profit or loss from farming form, schedule F, if all of the following
20 apply:".

21 **1201.** Page 1825, line 21: after that line insert:

22 “**SECTION 4910c.** 628.34 (3) (a) of the statutes, as affected by 1995 Wisconsin
23 Act 289, is amended to read:

1 628.34 (3) (a) No insurer may unfairly discriminate among policyholders by
2 charging different premiums or by offering different terms of coverage except on the
3 basis of classifications related to the nature and the degree of the risk covered or the
4 expenses involved, subject to ss. 632.365 and, 632.745 and 632.748. Rates are not
5 unfairly discriminatory if they are averaged broadly among persons insured under
6 a group, blanket or franchise policy, and terms are not unfairly discriminatory
7 merely because they are more favorable than in a similar individual policy.

8 **SECTION 4910e.** 628.34 (3) (b) of the statutes, as affected by 1995 Wisconsin Act
9 289, is amended to read:

10 628.34 (3) (b) No insurer may refuse to insure or refuse to continue to insure,
11 or limit the amount, extent or kind of coverage available to an individual, or charge
12 an individual a different rate for the same coverage because of a mental or physical
13 disability except when the refusal, limitation or rate differential is based on either
14 sound actuarial principles supported by reliable data or actual or reasonably
15 anticipated experience, subject to ss. ~~632.745, 632.747, 632.749, 635.09 and 635.26~~
16 632.746 to 632.7495.

17 **SECTION 4910g.** 628.36 (2) (b) 1. of the statutes is amended to read:

18 628.36 (2) (b) 1. Except for health maintenance organizations, preferred
19 provider plans, and limited service health organizations ~~and the small employer~~
20 ~~health insurance plan under subch. II of ch. 635~~, no health care plan may prevent
21 any person covered under the plan from choosing freely among providers who have
22 agreed to participate in the plan and abide by its terms, except by requiring the
23 person covered to select primary providers to be used when reasonably possible.

24 **SECTION 4910i.** 628.36 (2) (b) 3. of the statutes is amended to read:

1 628.36 (2) (b) 3. Except as provided in subd. 4., no provider may be denied the
2 opportunity to participate in a health care plan, other than a health maintenance
3 organization, a limited service health organization, or a preferred provider plan ~~or~~
4 ~~the small employer health insurance plan under subch. II of ch. 635, under the terms~~
5 of the plan.

6 **SECTION 4910k.** 628.36 (2) (b) 5. of the statutes is amended to read:

7 628.36 (2) (b) 5. ~~Except for the small employer health insurance plan under~~
8 ~~subch. II of ch. 635 to the extent determined by the small employer insurance board~~
9 ~~under s. 635.23 (1) (b), all All health care plans, including health maintenance~~
10 organizations, limited service health organizations and preferred provider plans are
11 subject to s. 632.87 (3).

12 **SECTION 4910m.** 631.01 (4) of the statutes is amended to read:

13 631.01 (4) ANNUITIES AND GROUP POLICIES FOR ELEEMOSYNARY INSTITUTIONS. This
14 chapter, and ch. 632 ~~and the health insurance mandates under ch. 632 that apply to~~
15 ~~the plan under subch. II of ch. 635~~ do not apply to annuities or group policies that
16 are provided on a basis as uniform nationally as state statutes permit to educational,
17 scientific research, religious or charitable institutions organized without profit to
18 any person, for the benefit of employes of such institutions. The commissioner may
19 by order subject such contracts issued by a particular insurer to this chapter, or ch.
20 632 ~~or the health insurance mandates under ch. 632 that apply to the plan under~~
21 ~~subch. II of ch. 635~~ or any portion of those provisions upon a finding, after a hearing,
22 that the interests of Wisconsin insureds or creditors or the public of this state so
23 require.”.

24 **1202.** Page 1826, line 3: delete lines 3 to 22 and substitute:

1 “**SECTION 4915m.** 632.70 of the statutes is repealed.

2 **SECTION 4916m.** 632.745 of the statutes, as affected by 1995 Wisconsin Acts
3 289 and 453, is repealed and recreated to read:

4 **632.745 Coverage requirements for group and individual health**
5 **benefit plans; definitions.** In this section and ss. 632.746 to 632.7495:

6 (1) “Affiliation period” means the period which, under the terms of health
7 insurance coverage offered by a health maintenance organization, must expire
8 before the health insurance coverage becomes effective.

9 (2) “Beneficiary” has the meaning given in section 3 (8) of the federal Employee
10 Retirement Income Security Act of 1974.

11 (3) “Bona fide association” means an association that satisfies all of the
12 following:

13 (a) The association has been actively in existence for at least 5 years.

14 (b) The association has been formed and maintained in good faith for purposes
15 other than obtaining insurance.

16 (c) The association does not condition membership in the association on any
17 health status-related factor of an individual, including an employee of an employer
18 or a dependent of an employee.

19 (d) The association makes health insurance coverage offered through the
20 association available to all members, regardless of any health status-related factor
21 of those members or individuals eligible for coverage through a member.

22 (e) The association does not make health insurance coverage offered through
23 the association available other than in connection with a member of the association.

1 (f) The association meets any additional requirements that are imposed by a
2 rule of the commissioner designed to prevent the use of an association for risk
3 segmentation.

4 (4) (a) Except as provided in par. (b), “creditable coverage” means coverage
5 under any of the following:

6 1. A group health plan.

7 2. Health insurance.

8 3. Part A or part B of title XVIII of the federal Social Security Act.

9 4. Title XIX of the federal Social Security Act, except for coverage consisting
10 solely of benefits under section 1928 of that act.

11 5. Chapter 55 of title 10 of the United States Code.

12 6. A medical care program of the federal Indian health service or of an
13 American Indian tribal organization.

14 7. A state health benefits risk pool.

15 8. A health plan offered under chapter 89 of title 5 of the United States Code.

16 9. A public health plan, as defined in regulations issued by the federal
17 department of health and human services.

18 10. A health coverage plan under section 5 (e) of the federal Peace Corps Act,
19 22 USC 2504 (e).

20 (b) “Creditable coverage” does not include coverage consisting solely of
21 coverage of excepted benefits, as defined in section 2791 (c) of P.L. 104-191.

22 (5) (a) Except as provided in par. (b), “eligible employe” means an employe who
23 works on a permanent basis and has a normal work week of 30 or more hours. The
24 term includes a sole proprietor, a business owner, including the owner of a farm
25 business, a partner of a partnership and a member of a limited liability company if

1 the sole proprietor, business owner, partner or member is included as an employe
2 under a health benefit plan of an employer, but the term does not include an employe
3 who works on a temporary or substitute basis.

4 (b) For purposes of a group health benefit plan, or a self-insured health plan,
5 that is offered by the state under s. 40.51 (6) or by the group insurance board under
6 s. 40.51 (7), "eligible employe" has the meaning given in s. 40.02 (25).

7 **(6)** (a) "Employer" means any of the following:

8 1. An individual, firm, corporation, partnership, limited liability company or
9 association that is actively engaged in a business enterprise in this state, including
10 a farm business.

11 2. A municipality, as defined in s. 16.70 (8).

12 3. The state.

13 (b) For purposes of this definition, all of the following apply:

14 1. All persons treated as a single employer under subsection (b), (c), (m) or (o)
15 of section 414 of the Internal Revenue Code of 1986 shall be treated as one employer.

16 2. "Employer" includes any predecessor of an employer.

17 **(7)** "Enrollment date" means, with respect to an individual covered under a
18 group health plan or health insurance, the date of enrollment of the individual under
19 the plan or insurance or, if earlier, the first day of the waiting period for such
20 enrollment.

21 **(8)** "Federal continuation provision" means any of the following:

22 (a) Section 4980B of the Internal Revenue Code of 1986, except for section
23 4980B (f) (1) of that code insofar as it relates to pediatric vaccines.

24 (b) Part 6 of subtitle B of title I of the federal Employee Retirement Income
25 Security Act of 1974, except for section 609 of that act.

1 (c) Title XXII of P.L. 104-191.

2 (9) "Group health benefit plan" means a health benefit plan that is issued by
3 an insurer to or through an employer on behalf of a group consisting of at least 2
4 employes or a group including at least 2 eligible employes. The term includes
5 individual health benefit plans covering eligible employes when 3 or more are sold
6 to or through an employer.

7 (10) "Group health plan" means any of the following:

8 (a) An employe welfare plan, as defined in section 3 (1) of the federal Employee
9 Retirement Security Act of 1974, to the extent that the employe welfare plan provides
10 medical care, including items and services paid for as medical care, to employes or
11 to their dependents, as defined under the terms of the employe welfare plan, directly
12 or through insurance, reimbursement or otherwise.

13 (b) Any program that would not otherwise be an employe welfare benefit plan
14 and that is established or maintained by a partnership, to the extent that the
15 program provides medical care, including items and services paid for as medical care,
16 to present or former partners of the partnership or to their dependents, as defined
17 under the terms of the program, directly or through insurance, reimbursement or
18 otherwise.

19 (11) (a) Except as provided in par. (b), "health benefit plan" means any hospital
20 or medical policy or certificate.

21 (b) "Health benefit plan" does not include any of the following:

22 1. Coverage that is only accident or disability income insurance, or any
23 combination of the 2 types.

24 2. Coverage issued as a supplement to liability insurance.

1 3. Liability insurance, including general liability insurance and automobile
2 liability insurance.

3 4. Worker’s compensation or similar insurance.

4 5. Automobile medical payment insurance.

5 6. Credit-only insurance.

6 7. Coverage for on-site medical clinics.

7 8. Other similar insurance coverage, as specified in regulations issued by the
8 federal department of health and human services, under which benefits for medical
9 care are secondary or incidental to other insurance benefits.

10 9. If provided under a separate policy, certificate or contract of insurance, or if
11 otherwise not an integral part of the policy, certificate or contract of insurance:
12 limited-scope dental or vision benefits; benefits for long-term care, nursing home
13 care, home health care, community-based care, or any combination of those benefits;
14 and such other similar, limited benefits as are specified in regulations issued by the
15 federal department of health and human services under section 2791 of P.L. 104-191.

16 10. Hospital indemnity or other fixed indemnity insurance or coverage only for
17 a specified disease or illness, if all of the following apply:

18 a. The benefits are provided under a separate policy, certificate or contract of
19 insurance.

20 b. There is no coordination between the provision of such benefits and any
21 exclusion of benefits under any group health plan maintained by the same plan
22 sponsor.

23 c. Such benefits are paid with respect to an event without regard to whether
24 benefits are provided with respect to such an event under any group health plan
25 maintained by the same plan sponsor.

1 11. Benefits that are provided under a separate policy, certificate or contract
2 of insurance and that are medicare supplemental health insurance, as defined in
3 section 1882 (g) (1) of the federal Social Security Act, coverage supplemental to the
4 coverage provided under chapter 55 of title 10 of the United States Code or similar
5 supplemental coverage provided as supplemental to coverage under a group health
6 plan.

7 12. Other insurance exempted by rule of the commissioner.

8 **(12)** “Health insurance” includes health benefit plans but does not include
9 group health plans.

10 **(13)** “Health maintenance organization” has the meaning given in s. 609.01 (2).

11 **(14)** “Health status–related factor” means any of the factors listed in s. 632.748
12 (1) (a).

13 **(15)** “Insurer” means an insurer that is authorized to do business in this state,
14 in one or more lines of insurance that includes health insurance, and that offers
15 health benefit plans covering individuals in this state or eligible employes of one or
16 more employers in this state. The term includes a health maintenance organization,
17 a preferred provider plan, as defined in s. 609.01 (4), an insurer operating as a
18 cooperative association organized under ss. 185.981 to 185.985 and a limited service
19 health organization, as defined in s. 609.01 (3).

20 **(16)** “Large employer” means, with respect to a calendar year and a plan year,
21 an employer that employed an average of at least 51 employes on business days
22 during the preceding calendar year, or that is reasonably expected to employ an
23 average of at least 51 employes on business days during the current calendar year
24 if the employer was not in existence during the preceding calendar year, and that
25 employs at least 2 employes on the first day of the plan year.

1 **(17)** “Large group market” means the health insurance market under which
2 individuals obtain health insurance coverage on behalf of themselves and their
3 dependents, directly or through any arrangement, under a group health benefit plan
4 maintained by a large employer.

5 **(18)** “Late enrollee” means, with respect to coverage under a group health plan
6 or health insurance coverage, a participant, beneficiary or individual who enrolls
7 under the plan or coverage at any time other than during any of the following:

8 (a) The first period in which the individual is eligible to enroll under the plan
9 or coverage.

10 (b) A special enrollment period under s. 632.746 (7).

11 **(19)** “Network plan” means health insurance coverage of an insurer under
12 which the financing and delivery of medical care, including items and services paid
13 for as medical care, are provided, in whole or in part, through a defined set of
14 providers under contract with the insurer.

15 **(20)** “Participant” has the meaning given in section 3 (7) of the federal
16 Employee Retirement Income Security Act of 1974. “Participant” includes an
17 individual who is, or may become, eligible to receive a benefit, or whose beneficiaries
18 may be eligible to receive any such benefit, in connection with a group health plan
19 or group health benefit plan if the individual is any of the following:

20 (a) A partner in relation to a partnership and the group health plan or group
21 health benefit plan is maintained by the partnership.

22 (b) A self-employed individual with one or more employees who are participants
23 in the group health plan or group health benefit plan and the group health plan or
24 group health benefit plan is maintained by the self-employed individual.

1 (21) “Placed for adoption” or “placement for adoption” means, with respect to
2 the placement for adoption of a child with a person, the assumption and retention by
3 the person of a legal obligation for the total or partial support of the child in
4 anticipation of the adoption of the child. A child’s placement for adoption with a
5 person terminates upon the termination of the person’s legal obligation for support.

6 (22) “Plan sponsor” has the meaning given in section 3 (16) (B) of the federal
7 Employee Retirement Income Security Act of 1974.

8 (23) “Preexisting condition exclusion” means, with respect to coverage, a
9 limitation or exclusion of benefits relating to a condition of an individual that existed
10 before the individual’s date of enrollment for coverage.

11 (24) “Self-insured health plan” means a self-insured health plan of the state
12 or a county, city, village, town or school district.

13 (25) “Small employer” has the meaning given in s. 635.02 (7).

14 (26) “Small group market” means the health insurance market under which
15 individuals obtain health insurance coverage on behalf of themselves and their
16 dependents, directly or through any arrangement, under a group health benefit plan
17 maintained by, or obtained through, a small employer.

18 (27) “Waiting period” means, with respect to a group health plan or health
19 insurance coverage and an individual who is a potential participant or beneficiary
20 in the group health plan or who is potentially covered by the health insurance
21 coverage, the period that must pass with respect to the individual before the
22 individual is eligible for benefits under the terms of the plan or coverage.

23 **SECTION 4917m.** 632.746 of the statutes is created to read:

24 **632.746 Preexisting condition; portability; restrictions; and special**
25 **enrollment periods.** (1) (a) Subject to subs. (2) and (3), an insurer that offers a

1 group health benefit plan may, with respect to a participant or beneficiary under the
2 plan, impose a preexisting condition exclusion only if the exclusion relates to a
3 condition, whether physical or mental, regardless of the cause of the condition, for
4 which medical advice, diagnosis, care or treatment was recommended or received
5 within the 6-month period ending on the participant's or beneficiary's enrollment
6 date under the plan.

7 (b) A preexisting condition exclusion under par. (a) may not extend beyond 12
8 months, or 18 months with respect to a late enrollee, after the participant's or
9 beneficiary's enrollment date under the plan.

10 **(2)** (a) An insurer offering a group health benefit plan may not treat genetic
11 information as a preexisting condition under sub. (1) without a diagnosis of a
12 condition related to the information.

13 (b) An insurer offering a group health benefit plan may not impose a
14 preexisting condition exclusion relating to pregnancy as a preexisting condition.

15 (c) Subject to par. (e), an insurer offering a group health benefit plan may not
16 impose a preexisting condition exclusion with respect to an individual who is covered
17 under creditable coverage on the last day of the 30-day period beginning with the
18 day on which the individual is born.

19 (d) Subject to par. (e), an insurer offering a group health benefit plan may not
20 impose a preexisting condition exclusion with respect to an individual who is adopted
21 or placed for adoption before attaining the age of 18 years and who is covered under
22 creditable coverage on the last day of the 30-day period beginning with the day on
23 which the individual is adopted or placed for adoption. This paragraph does not
24 apply to coverage before the day on which the individual is adopted or placed for
25 adoption.

1 (e) Paragraphs (c) and (d) do not apply to an individual after the end of the first
2 continuous period during which the individual was not covered under any creditable
3 coverage for at least 63 days. For purposes of this paragraph, any waiting period or
4 affiliation period for coverage under a group health plan or group health benefit plan
5 shall not be taken into account in determining the period before enrollment in the
6 group health plan or group health benefit plan.

7 (3) (a) The length of time during which any preexisting condition exclusion
8 under sub. (1) may be imposed shall be reduced by the aggregate of the participant's
9 or beneficiary's periods of creditable coverage on his or her enrollment date under the
10 group health benefit plan.

11 (b) With respect to enrollment of an individual under a group health plan or a
12 group health benefit plan, a period of creditable coverage after which the individual
13 was not covered under any creditable coverage for a period of at least 63 days before
14 enrollment in the group health plan or group health benefit plan may not be counted.
15 For purposes of this paragraph, any waiting period or affiliation period for coverage
16 under the group health plan or group health benefit plan shall not be taken into
17 account in determining the period before enrollment in the group health plan or
18 group health benefit plan.

19 (c) No period of creditable coverage before July 1, 1996, may be counted.
20 Individuals who need to establish creditable coverage for periods before July 1, 1996,
21 and who would have such coverage but for this paragraph may be given credit for
22 creditable coverage for such periods through the presentation of documents or other
23 means provided by the federal secretary of health and human services, consistent
24 with section 104 of P.L. 104-191.

1 (d) 1. An insurer offering a group health benefit plan shall count a period of
2 creditable coverage without regard to the specific benefits for which the individual
3 had coverage during the period.

4 2. Notwithstanding subd. 1., an insurer offering a group health benefit plan
5 may elect to apply par. (a) on the basis of coverage of benefits within each of several
6 classes or categories of benefits specified in regulations issued by the federal
7 department of health and human services under P.L. 104-191. The election shall be
8 made on a uniform basis for all participants and beneficiaries. Under the election,
9 an insurer shall count a period of creditable coverage with respect to any class or
10 category of benefits if any level of benefits is covered within the class or category.

11 3. An insurer that makes an election under subd. 2. shall prominently state in
12 any disclosure statements concerning the coverage offered, and to each employer at
13 the time of the offer or sale of coverage, that the insurer has made the election and
14 what the effect of the election is.

15 (e) Periods of creditable coverage shall be established through the presentation
16 of certifications described in sub. (4) or in any other manner specified in regulations
17 issued by the federal department of health and human services under P.L. 104-191.

18 (4) (a) On and after October 1, 1996, an insurer that provides health benefit
19 plan coverage shall provide the certification described in par. (b) upon the happening
20 of any of the following events:

21 1. An individual ceases to be covered under the health benefit plan or otherwise
22 becomes covered under a federal continuation provision. The certification required
23 under this subdivision may be provided, to the extent practicable, at a time
24 consistent with notices required under any applicable federal continuation provision
25 or s. 632.897.

1 2. An individual ceases to be covered under a federal continuation provision.

2 3. Upon the request of an individual that is made not later than 24 months after
3 the date of the cessation of the individual's coverage under subd. 1. or 2., whichever
4 is later.

5 (b) The certification required under this subsection shall be a written
6 certification that includes all of the following information:

7 1. The period of creditable coverage of the individual under the health benefit
8 plan and the coverage, if any, under the federal continuation provision.

9 2. The waiting period, if any, or affiliation period, if any, imposed with respect
10 to the individual for coverage under the health benefit plan.

11 (c) Upon the happening after June 30, 1996, and before October 1, 1996, of an
12 event described in par. (a) 1. to 3., an insurer providing health benefit plan coverage
13 shall provide a certification described in par. (b) if the individual with respect to
14 whom the certification is provided requests the certification in writing.

15 (d) If an individual seeks to establish creditable coverage with respect to a
16 period for which a certification is not required because of the happening of an event
17 described in par. (a) 1. to 3. before July 1, 1996, all of the following apply:

18 1. The individual may present other credible evidence of the coverage in order
19 to establish the period of creditable coverage.

20 2. An insurer may not be subject to any penalty or enforcement action with
21 respect to the crediting or not crediting of the individual's coverage under subd. 1.
22 if the insurer has sought to comply in good faith with any applicable requirements
23 under this subsection.

24 **(5)** (a) If an insurer that made an election under sub. (3) (d) 2. enrolls an
25 individual for coverage under a group health benefit plan and the individual provides

1 a certification under sub. (4), upon the request of that insurer or the group health
2 benefit plan the insurer that issued the certification shall promptly disclose to the
3 requesting insurer or group health benefit plan information on coverage of classes
4 or categories of health benefits available under the coverage on which the
5 certification was based.

6 (b) The insurer providing the information may charge the requesting insurer
7 or plan for the reasonable cost of disclosing the information.

8 (c) An insurer providing information under this subsection shall comply with
9 regulations issued by the federal department of health and human services under
10 section 2701 (e) (3) of P.L. 104-191.

11 **(6)** An insurer offering a group health benefit plan shall permit an employe who
12 is not enrolled but who is eligible for coverage under the terms of the group health
13 benefit plan, or a participant's or employe's dependent who is not enrolled but who
14 is eligible for coverage under the terms of the group health benefit plan, to enroll for
15 coverage under the terms of the plan if all of the following apply:

16 (a) The employe or dependent was covered under a group health plan or had
17 health insurance coverage at the time coverage was previously offered to the employe
18 or dependent.

19 (b) The employe or participant stated in writing at the time coverage was
20 previously offered that coverage under a group health plan or health insurance
21 coverage was the reason for declining enrollment under the insurer's group health
22 benefit plan. This paragraph applies only if the insurer required such a statement
23 at the time coverage was previously offered and provided the employe or participant,
24 at the time coverage was previously offered, with notice of the requirement and the
25 consequences of the requirement.

1 (c) The employe or dependent is currently covered under the group health plan
2 or health insurance or, under the terms of the group health benefit plan, the employe
3 or participant requests enrollment no later than 30 days after the date on which the
4 coverage under par. (a) is exhausted or terminated.

5 (7) (a) If par. (b) applies, an insurer offering a group health benefit plan shall
6 provide for a special enrollment period during which any of the following may occur:

7 1. A person who marries an individual and who is otherwise eligible for
8 coverage may be enrolled under the plan as a dependent of the individual.

9 2. A person who is born to, adopted by or placed for adoption with, an individual
10 may be enrolled under the plan as a dependent of the individual.

11 3. An individual who has met any waiting period applicable to becoming a
12 participant under the plan, who is eligible to be enrolled under the plan and who
13 failed to enroll during a previous enrollment period or such an individual's spouse,
14 or both, may be enrolled under the plan.

15 (b) An insurer under par. (a) is required to provide for a special enrollment
16 period if all of the following apply:

17 1. The group health benefit plan makes coverage available for dependents of
18 participants under the plan.

19 2. The individual is a participant under the plan, or the individual has met any
20 waiting period applicable to becoming a participant under the plan and is eligible to
21 be enrolled under the plan but failed to enroll during a previous enrollment period.

22 3. A person becomes a dependent of the individual through marriage, birth,
23 adoption or placement for adoption.

24 (c) A special enrollment period provided for under this subsection shall be for
25 a period of not less than 30 days and shall begin on the later of either of the following:

1 1. The date dependent coverage is made available under the group health
2 benefit plan.

3 2. The date of the marriage, birth, adoption or placement for adoption described
4 in par. (a), whichever is applicable.

5 (d) If an individual seeks to enroll a dependent during the first 30 days of a
6 special enrollment period, the coverage of the dependent shall become effective on
7 the following date:

8 1. If the person becomes a dependent through marriage, not later than the first
9 day of the first month beginning after the date on which the completed request for
10 enrollment is received.

11 2. If the person becomes a dependent through birth, the date of birth.

12 3. If the person becomes a dependent through adoption or placement for
13 adoption, the date of the adoption or placement for adoption.

14 **(8)** (a) A health maintenance organization that offers a group health benefit
15 plan and that does not impose any preexisting condition exclusion under sub. (1) with
16 respect to a particular coverage option may impose an affiliation period for that
17 coverage option, but only if all of the following apply:

18 1. The affiliation period is applied uniformly without regard to any health
19 status-related factors.

20 2. The affiliation period does not exceed 2 months, or 3 months with respect to
21 a late enrollee.

22 (b) A health maintenance organization that imposes an affiliation period under
23 this subsection is not required to provide health care services or benefits during the
24 affiliation period. A health maintenance organization may not charge a premium to
25 a participant or beneficiary for any coverage that is provided during an affiliation

1 period. An affiliation period shall begin on the enrollment date and run concurrently
2 with any waiting period under the group health benefit plan.

3 (c) A health maintenance organization under par. (a) may use methods other
4 than those described in par. (a) to address adverse selection, if the methods are
5 approved by the commissioner.

6 **(9)** (a) Except as provided in pars. (b) and (c), requirements used by an insurer
7 in determining whether to provide coverage under a group health benefit plan to an
8 employer, including requirements for minimum participation of eligible employees
9 and minimum employer contributions, shall be applied uniformly among all
10 employers that apply for or receive coverage from the insurer.

11 (b) An insurer may do all of the following:

12 1. Vary its minimum participation requirements or minimum employer
13 contribution requirements only by the size of the employer group based on the
14 number of eligible employees.

15 2. Unless the commissioner by rule permits more frequent change, increase the
16 minimum participation requirements or minimum employer contribution
17 requirements no more than one time during a calendar year and, except as otherwise
18 permitted under this subsection, only if the requirements are applied uniformly to
19 all employers applying for coverage and to all renewing employers effective on the
20 date of renewal.

21 3. Except as limited or restricted by rule of the commissioner, establish
22 separate participation requirements or employer contribution requirements that
23 uniformly apply to all employers that provide a choice of coverage to employees or
24 their dependents. Except as limited or restricted by rule of the commissioner, an

1 insurer may establish separate uniform requirements based on the number or type
2 of choice of coverage provided by the employer.

3 (c) Except as provided in par. (b), an insurer may vary requirements used by
4 the insurer in determining whether to provide coverage under a group health benefit
5 plan to a large employer, but only if the requirements are applied uniformly among
6 all large employers that have the same number of eligible employees.

7 (d) In applying minimum participation requirements with respect to an
8 employer, an insurer may not count eligible employees who have other coverage that
9 is creditable coverage in determining whether the applicable percentage of
10 participation is met, except that an insurer may count eligible employees who have
11 coverage under another health benefit plan that is sponsored by that employer and
12 that is creditable coverage.

13 (e) This subsection does not apply to a group health benefit plan offered by the
14 state under s. 40.51 (6) or by the group insurance board under s. 40.51 (7).

15 **(10)** (a) 1. Except as provided in rules promulgated under subd. 3. or 4., if an
16 insurer offers a group health benefit plan to an employer, the insurer shall offer
17 coverage to all of the eligible employees of the employer and their dependents. Except
18 as provided in rules promulgated under subd. 3. or 4., an insurer may not offer
19 coverage to only certain individuals in an employer group or to only part of the group,
20 except for an eligible employee who has not yet satisfied an applicable waiting period,
21 if any.

22 2. Except as provided in rules promulgated under subd. 3., if the state or a
23 county, city, village, town or school district offers coverage under a self-insured
24 health plan, it shall offer coverage to all of its eligible employees and their dependents.
25 Except as provided in rules promulgated under subd. 3., the state or a county, city,

1 village, town or school district may not offer coverage to only certain individuals in
2 the employer group or to only part of the group, except for an eligible employe who
3 has not yet satisfied an applicable waiting period, if any.

4 3. The secretary of employe trust funds, with the approval of the group
5 insurance board, shall promulgate rules related to offering coverage to eligible
6 employes under a group health benefit plan, or a self-insured health plan, offered
7 by the state under s. 40.51 (6) or by the group insurance board under s. 40.51 (7). The
8 rules shall conform to the intent of subds. 1. and 2. and may not allow the state or
9 the group insurance board to refuse to offer coverage to an eligible employe or
10 dependent for reasons related to health condition.

11 4. The commissioner may promulgate rules permitting exceptions to the
12 requirement under subd. 1. for classes of eligible employes or their dependents. No
13 rule promulgated under this subdivision may permit an insurer to refuse to offer to
14 provide coverage to an eligible employe or his or her dependent for reasons related
15 to health condition.

16 (b) 1. An insurer may not modify a group health benefit plan with respect to
17 an employer or an eligible employe or dependent, through riders, endorsements or
18 otherwise, to restrict or exclude coverage for certain diseases or medical conditions
19 otherwise covered by the group health benefit plan.

20 2. The state or a county, city, village, town or school district may not modify a
21 self-insured health plan with respect to an eligible employe or dependent, through
22 riders, endorsements or otherwise, to restrict or exclude coverage for certain diseases
23 or medical conditions otherwise covered by the self-insured health plan.

24 3. Nothing in this paragraph limits the authority of the group insurance board
25 to fulfill its obligations as trustee under s. 40.03 (6) (d) or to design or modify

1 procedures or provisions pertaining to enrollment, premium transmitted or coverage
2 of eligible employes for health care benefits under s. 40.51 (1).

3 **SECTION 4918m.** 632.747 (1) (intro.) of the statutes, as created by 1995
4 Wisconsin Act 289, is amended to read:

5 632.747 (1) EMPLOYEE BECOMES ELIGIBLE AFTER COMMENCEMENT OF COVERAGE.
6 (intro.) If Unless otherwise permitted by rule of the commissioner, if an insurer
7 provides coverage under a group health benefit plan, the insurer shall provide
8 coverage under the group health benefit plan to an eligible employe who becomes
9 eligible for coverage after the commencement of the employer's coverage, and to the
10 eligible employe's dependents, regardless of health condition or claims experience,
11 if all of the following apply:

12 **SECTION 4919m.** 632.747 (2) of the statutes, as created by 1995 Wisconsin Act
13 289, is repealed.

14 **SECTION 4920m.** 632.747 (3) (a) of the statutes, as created by 1995 Wisconsin
15 Act 289, is amended to read:

16 632.747 (3) (a) The eligible employe was covered as a dependent under
17 qualifying creditable coverage when he or she waived coverage under the
18 self-insured health plan.

19 **SECTION 4921m.** 632.747 (3) (b) of the statutes, as created by 1995 Wisconsin
20 Act 289, is amended to read:

21 632.747 (3) (b) The eligible employe's coverage under the qualifying creditable
22 coverage has terminated or will terminate due to a divorce from the insured under
23 the qualifying creditable coverage, the death of the insured under the qualifying
24 creditable coverage, loss of employment by the insured under the qualifying

1 creditable coverage or involuntary loss of coverage under the qualifying creditable
2 coverage by the insured under the qualifying creditable coverage.

3 **SECTION 4922m.** 632.747 (3) (c) of the statutes, as created by 1995 Wisconsin
4 Act 289, is amended to read:

5 632.747 (3) (c) The eligible employe applies for coverage under the self-insured
6 health plan not more than 30 days after termination of his or her coverage under the
7 qualifying creditable coverage.

8 **SECTION 4923m.** 632.748 of the statutes is created to read:

9 **632.748 Prohibiting discrimination.** (1) (a) Subject to subs. (3) and (4), an
10 insurer may not establish rules for the eligibility of any individual to enroll, or for
11 the continued eligibility of any individual to remain enrolled, under a group health
12 benefit plan based on any of the following factors with respect to the individual or
13 a dependent of the individual:

- 14 1. Health status.
- 15 2. Medical condition, including both physical and mental illnesses.
- 16 3. Claims experience.
- 17 4. Receipt of health care.
- 18 5. Medical history.
- 19 6. Genetic information.
- 20 7. Evidence of insurability, including conditions arising out of acts of domestic
21 violence.

22 8. Disability.

23 (b) For purposes of par. (a), rules for eligibility to enroll under a group health
24 benefit plan include rules defining any applicable waiting periods for enrollment.

1 (2) An insurer offering a group health benefit plan may not require any
2 individual, as a condition of enrollment or continued enrollment under the plan, to
3 pay, on the basis of any health status-related factor with respect to the individual
4 or a dependent of the individual, a premium or contribution that is greater than the
5 premium or contribution for a similarly situated individual enrolled under the plan.

6 (3) To the extent consistent with s. 632.746, sub. (1) shall not be construed to
7 do any of the following:

8 (a) Require a group health benefit plan to provide particular benefits other
9 than those provided under the terms of the plan.

10 (b) Prevent a group health benefit plan from establishing limitations or
11 restrictions on the amount, level, extent or nature of benefits or coverage for
12 similarly situated individuals enrolled under the plan.

13 (4) Nothing in sub. (1) shall be construed to do any of the following:

14 (a) Restrict the amount that an insurer may charge an employer for coverage
15 under a group health benefit plan.

16 (b) Prevent an insurer offering a group health benefit plan from establishing
17 premium discounts or rebates, or from modifying otherwise applicable copayments
18 or deductibles, in return for adherence to programs of health promotion and disease
19 prevention.

20 (c) Provide an exception from, or limit, the rate regulation under s. 635.05.

21 **SECTION 4924m.** 632.749 of the statutes, as created by 1995 Wisconsin Act 289,
22 is repealed and recreated to read:

23 **632.749 Contract termination and renewability.** (1) (a) Except as
24 provided in subs. (2) to (4) and notwithstanding s. 631.36 (2) to (4m), an insurer that

1 offers a group health benefit plan shall renew such coverage or continue such
2 coverage in force at the option of the employer and, if applicable, plan sponsor.

3 (b) At the time of coverage renewal, the insurer may modify a group health
4 benefit plan issued in the large group market.

5 (2) Notwithstanding s. 631.36 (2) to (4m), an insurer may nonrenew or
6 discontinue a group health benefit plan, but only if any of the following applies:

7 (a) The plan sponsor has failed to pay premiums or contributions in accordance
8 with the terms of the group health benefit plan or in a timely manner.

9 (b) The plan sponsor has performed an act or engaged in a practice that
10 constitutes fraud or made an intentional misrepresentation of material fact under
11 the terms of the coverage.

12 (c) The plan sponsor has failed to comply with a material plan provision that
13 is permitted under law relating to employer contribution or group participation
14 rules.

15 (d) The insurer is ceasing to offer coverage in the market in which the group
16 health benefit plan is included in accordance with sub. (3) and any other applicable
17 state law.

18 (e) In the case of a group health benefit plan that the insurer offers through a
19 network plan, there is no longer an enrollee under the plan who resides, lives or
20 works in the service area of the insurer or in an area in which the insurer is
21 authorized to do business and, in the case of the small group market, the insurer
22 would deny enrollment under the plan under s. 635.19 (2) (a) 1.

23 (f) In the case of a group health benefit plan that is made available only through
24 one or more bona fide associations, the employer ceases to be a member of the
25 association on which the coverage is based. Coverage may be terminated if this

1 paragraph applies only if the coverage is terminated uniformly without regard to any
2 health status-related factor of any covered individual.

3 (3) (a) Notwithstanding s. 631.36 (2) to (4m), an insurer may discontinue
4 offering in this state a particular type of group health benefit plan offered in either
5 the large group market or the group market other than the large group market, but
6 only if all of the following apply:

7 1. The insurer provides notice of the discontinuance to each employer and, if
8 applicable, plan sponsor for whom the insurer provides coverage of this type in this
9 state, and to the participants and beneficiaries covered under the coverage, at least
10 90 days before the date on which the coverage will be discontinued.

11 2. The insurer offers to each employer and, if applicable, plan sponsor for whom
12 the insurer provides coverage of this type in this state the option to purchase from
13 among all of the other group health benefit plans that the insurer offers in the market
14 in which is included the type of group health benefit plan that is being discontinued,
15 except that in the case of the large group market, the insurer must offer each
16 employer and, if applicable, plan sponsor the option to purchase one other group
17 health benefit plan that the insurer offers in the large group market.

18 3. In exercising the option to discontinue coverage of this particular type and
19 in offering the option to purchase coverage under subd. 2., the insurer acts uniformly
20 without regard to any health status-related factor of any covered participants or
21 beneficiaries or any participants or beneficiaries who may become eligible for
22 coverage.

23 (b) Notwithstanding s. 631.36 (2) to (4m), an insurer may discontinue offering
24 in this state all group health benefit plans in the large group market or in the group

1 market other than the large group market, or in both such group markets, but only
2 if all of the following apply:

3 1. The insurer provides notice of the discontinuance to the commissioner and
4 to each employer and, if applicable, plan sponsor for whom the insurer provides
5 coverage of this type in this state, and to the participants and beneficiaries covered
6 under the coverage, at least 180 days before the date on which the coverage will be
7 discontinued.

8 2. All group health benefit plans issued or delivered for issuance in this state
9 in the affected market or markets are discontinued and coverage under such group
10 health benefit plans is not renewed.

11 3. The insurer does not issue or deliver for issuance in this state any group
12 health benefit plan in the affected market or markets before 5 years after the day on
13 which the last group health benefit plan is discontinued under subd. 2.

14 (4) This section does not apply to a group health benefit plan offered by the
15 state under s. 40.51 (6) or by the group insurance board under s. 40.51 (7).

16 **SECTION 4925m.** 632.7495 of the statutes is created to read:

17 **632.7495 Guaranteed renewability of individual health insurance**
18 **coverage.** (1) (a) Except as provided in subs. (2) and (3) and notwithstanding s.
19 631.36 (2) to (4m), an insurer that provides individual health benefit plan coverage
20 shall renew such coverage or continue such coverage in force at the option of the
21 insured individual and, if applicable, the association through which the individual
22 has coverage.

23 (b) At the time of coverage renewal, the insurer may modify the individual
24 health benefit plan coverage policy form as long as the modification is consistent with

1 state law and effective on a uniform basis among all individuals with coverage under
2 that policy form.

3 (2) Notwithstanding s. 631.36 (2) to (4m), an insurer may nonrenew or
4 discontinue the individual health benefit plan coverage of an individual, but only if
5 any of the following applies:

6 (a) The individual or, if applicable, the association through which the
7 individual has coverage has failed to pay premiums or contributions in accordance
8 with the terms of the health insurance coverage or in a timely manner.

9 (b) The individual or, if applicable, the association through which the
10 individual has coverage has performed an act or engaged in a practice that
11 constitutes fraud or made an intentional misrepresentation of material fact under
12 the terms of the health insurance coverage.

13 (c) The insurer is ceasing to offer individual health benefit plan coverage in
14 accordance with sub. (3) and any other applicable state law.

15 (d) In the case of individual health benefit plan coverage that the insurer offers
16 through a network plan, the individual no longer resides, lives or works in the service
17 area or in an area in which the insurer is authorized to do business. Coverage may
18 be terminated if this paragraph applies only if the coverage is terminated uniformly
19 without regard to any health status-related factor of covered individuals.

20 (e) In the case of individual health benefit plan coverage that the insurer offers
21 only through one or more bona fide associations, the individual ceases to be a member
22 of the association on which the coverage is based. Coverage may be terminated if this
23 paragraph applies only if the coverage is terminated uniformly without regard to any
24 health status-related factor of covered individuals.

1 (f) The individual is eligible for medicare and the commissioner by rule permits
2 coverage to be terminated.

3 (3) (a) Notwithstanding s. 631.36 (2) to (4m), an insurer may discontinue
4 offering in this state a particular type of individual health benefit plan coverage, but
5 only if all of the following apply:

6 1. The insurer provides notice of the discontinuance to each individual for
7 whom the insurer provides coverage of this type in this state and, if applicable, to the
8 association through which the individual has coverage at least 90 days before the
9 date on which the coverage will be discontinued.

10 2. The insurer offers to each individual for whom the insurer provides coverage
11 of this type in this state and, if applicable, to the association through which the
12 individual has coverage the option to purchase any other type of individual health
13 insurance coverage that the insurer offers for individuals.

14 3. In electing to discontinue coverage of this particular type and in offering the
15 option to purchase coverage under subd. 2., the insurer acts uniformly without
16 regard to any health status-related factor of enrolled individuals or individuals who
17 may become eligible for the type of coverage described under subd. 2.

18 (b) Notwithstanding s. 631.36 (2) to (4m), an insurer may discontinue offering
19 individual health benefit plan coverage in this state, but only if all of the following
20 apply:

21 1. The insurer provides notice of the discontinuance to the commissioner and
22 to each individual for whom the insurer provides individual health benefit plan
23 coverage in this state and, if applicable, to the association through which the
24 individual has coverage at least 180 days before the date on which the coverage will
25 be discontinued.

1 2. All individual health benefit plan coverage issued or delivered for issuance
2 in this state is discontinued and coverage under such coverage is not renewed.

3 3. The insurer does not issue or deliver for issuance in this state any individual
4 health benefit plan coverage before 5 years after the day on which the last individual
5 health benefit plan coverage is discontinued under subd. 2.

6 **SECTION 4929w.** 632.76 (2) (a) of the statutes, as affected by 1995 Wisconsin
7 Act 289, is amended to read:

8 632.76 (2) (a) No claim for loss incurred or disability commencing after 2 years
9 from the date of issue of the policy may be reduced or denied on the ground that a
10 disease or physical condition existed prior to the effective date of coverage, unless the
11 condition was excluded from coverage by name or specific description by a provision
12 effective on the date of loss. This paragraph does not apply to a group health benefit
13 plan, as defined in s. 632.745 (1)(e) (9), which is subject to s. ~~632.745 (2)~~ 632.746.”.

14 **1203.** Page 1826, line 22: after that line insert:

15 “**SECTION 4929m.** 632.755 (title) of the statutes is amended to read:

16 **632.755 (title) Public assistance and early intervention services.**

17 **SECTION 4929n.** 632.755 (1g) (a) of the statutes is amended to read:

18 632.755 (1g) (a) A disability insurance policy may not exclude a person or a
19 person’s dependent from coverage because the person or the dependent is eligible for
20 assistance under ch. 49 or because the dependent is eligible for early intervention
21 services under s. 51.44.

22 **SECTION 4929p.** 632.755 (1g) (b) of the statutes is amended to read:

23 632.755 (1g) (b) A disability insurance policy may not terminate its coverage
24 of a person or a person’s dependent because the person or the dependent is eligible

1 for assistance under ch. 49 or because the dependent is eligible for early intervention
2 services under s. 51.44.

3 **SECTION 4929r.** 632.755 (1g) (c) of the statutes is amended to read:

4 632.755 (1g) (c) A disability insurance policy may not provide different benefits
5 of coverage to a person or the person's dependent because the person or the
6 dependent is eligible for assistance under ch. 49 or because the dependent is eligible
7 for early intervention services under s. 51.44 than it provides to persons and their
8 dependents who are not eligible for assistance under ch. 49 or for early intervention
9 services under s. 51.44.

10 **SECTION 4929t.** 632.755 (2) of the statutes is amended to read:

11 632.755 (2) Benefits provided by a disability insurance policy shall be primary
12 to those benefits provided under ch. 49 or under s. 51.44 or 253.05.”.

13 **1204.** Page 1827, line 20: delete “\$2,000 \$7,000” and substitute “\$2,000”.

14 **1205.** Page 1827, line 22: delete “\$1,800 \$6,300” and substitute “\$1,800”.

15 **1206.** Page 1828, line 2: delete “\$3,000 \$7,000” and substitute “\$3,000”.

16 **1207.** Page 1828, line 5: delete “\$2,700 \$6,300” and substitute “\$2,700”.

17 **1208.** Page 1828, line 7: delete lines 7 to 24 and substitute:

18 “632.895 (11) TREATMENT FOR THE CORRECTION OF TEMPOROMANDIBULAR
19 DISORDERS. (a) Every disability insurance policy, and every self-insured health plan
20 of the state or a county, city, village, town or school district, that provides coverage
21 of any diagnostic or surgical procedure involving a bone, joint, muscle or tissue shall
22 provide coverage for diagnostic procedures and medically necessary surgical or
23 nonsurgical treatment for the correction of temporomandibular disorders, including

1 medically necessary surgery for the correction of functional deformities of the
2 maxilla or mandible, if all of the following apply:

3 1. The condition is caused by congenital, developmental or acquired deformity,
4 disease or injury.

5 2. Under the accepted standards of the profession of the health care provider
6 rendering the service, the procedure or device is reasonable and appropriate for the
7 diagnosis or treatment of the condition.

8 3. The purpose of the procedure or device is to control or eliminate infection,
9 pain, disease or dysfunction.

10 (b) 1. The coverage required under this subsection for nonsurgical treatment
11 includes coverage for prescribed intraoral splint therapy devices.

12 2. The coverage required under this subsection does not include coverage for
13 cosmetic or elective orthodontic care, periodontic care or general dental care.

14 (c) The coverage required under this subsection may be subject to any
15 limitations, exclusions or cost-sharing provisions that apply generally under the
16 disability insurance policy or self-insured health plan.”.

17 **1209.** Page 1829, line 1: delete lines 1 to 5 and substitute:

18 “632.895 (12) HOSPITAL AND AMBULATORY SURGERY CENTER CHARGES AND
19 ANESTHETICS FOR DENTAL CARE. (a) In this subsection, “ambulatory surgery center”
20 has the meaning given in s. 49.45 (6r) (a) 1.

21 (b) Every disability insurance policy, and every self-insured health plan of the
22 state or a county, city, village, town or school district, shall cover hospital or
23 ambulatory surgery center charges incurred, and anesthetics provided, in

1 conjunction with dental care that is provided to a covered individual in a hospital or
2 ambulatory surgery center, if any of the following applies.”.

3 **1210.** Page 1829, line 11: substitute “(c)” for “(b)”.

4 **1211.** Page 1829, line 11: delete “par. (a)” and substitute “this subsection”.

5 **1212.** Page 1829, line 13: after that line insert:

6 “**SECTION 4931m.** 632.896 (4) of the statutes, as affected by 1995 Wisconsin Act
7 289, is amended to read:

8 632.896 (4) **PREEXISTING CONDITIONS.** Notwithstanding ss. ~~632.745(2)~~ 632.746
9 and 632.76 (2) (a), a disability insurance policy that is subject to sub. (2) and that is
10 in effect when a court makes a final order granting adoption or when the child is
11 placed for adoption may not exclude or limit coverage of a disease or physical
12 condition of the child on the ground that the disease or physical condition existed
13 before coverage is required to begin under sub. (3).”.

14 **1213.** Page 1829, line 13: after that line insert:

15 “**SECTION 4930v.** 632.895 (13) of the statutes is created to read:

16 632.895 (13) **BREAST RECONSTRUCTION.** (a) Every disability insurance policy,
17 and every self-insured health plan of the state or a county, city, village, town or school
18 district, that provides coverage of the surgical procedure known as a mastectomy
19 shall provide coverage of breast reconstruction incident to a mastectomy.

20 (b) The coverage required under par. (a) may be subject to any limitations,
21 exclusions or cost-sharing provisions that apply generally under the disability
22 insurance policy or self-insured health plan.”.

23 **1214.** Page 1829, line 20: delete the material beginning with that line and
24 ending with page 1830, line 13, and substitute:

1 **SECTION 4932b.** 632.898 of the statutes is repealed.

2 **SECTION 4932d.** Subchapter I (title) of chapter 635 [precedes 635.01] of the
3 statutes is repealed.

4 **SECTION 4932f.** 635.01 of the statutes is amended to read:

5 **635.01 Scope.** This ~~subchapter~~ chapter applies to all group health insurance
6 plans, policies or certificates, written on risks or operations in this state, providing
7 coverage for employes of a small employer, or employes of a small employer and the
8 employer, and to individual health insurance policies, written on risks or operations
9 in this state, providing coverage for employes of a small employer, or employes of a
10 small employer and the employer when 3 or more are sold to or through a small
11 employer.

12 **SECTION 4932h.** 635.02 (intro.) of the statutes is amended to read:

13 **635.02 Definitions.** (intro.) In this ~~subchapter~~ chapter:

14 **SECTION 4932j.** 635.02 (1c) of the statutes is repealed.

15 **SECTION 4932L.** 635.02 (1p) of the statutes is created to read:

16 635.02 (1p) "Bona fide association" has the meaning given in s. 632.745 (3).

17 **SECTION 4932p.** 635.02 (3c) of the statutes is repealed.

18 **SECTION 4932q.** 635.02 (3f) of the statutes is repealed.

19 **SECTION 4932r.** 635.02 (3g) of the statutes is created to read:

20 635.02 (3g) "Employer" has the meaning given in s. 632.745 (6).

21 **SECTION 4932s.** 635.02 (3k) of the statutes is created to read:

22 635.02 (3k) "Group health benefit plan" has the meaning given in s. 632.745
23 (9).

24 **SECTION 4932t.** 635.02 (3m) of the statutes is repealed and recreated to read:

25 635.02 (3m) "Health benefit plan" has the meaning given in s. 632.745 (11).

1 **SECTION 4932u.** 635.02 (4t) of the statutes is created to read:

2 635.02 (4t) “Network plan” has the meaning given in s. 632.745 (19).

3 **SECTION 4932v.** 635.02 (7) of the statutes is repealed and recreated to read:

4 635.02 (7) “Small employer” means, with respect to a calendar year and a plan
5 year, an employer that employed an average of at least 2 but not more than 50
6 employes on business days during the preceding calendar year, or that is reasonably
7 expected to employ an average of at least 2 but not more than 50 employes on
8 business days during the current calendar year if the employer was not in existence
9 during the preceding calendar year, and that employs at least 2 employes on the first
10 day of the plan year.

11 **SECTION 4932w.** 635.02 (9) of the statutes is created to read:

12 635.02 (9) “Small group market” has the meaning given in s. 632.745 (26).

13 **SECTION 4932x.** 635.09 of the statutes is repealed.

14 **SECTION 4932y.** 635.11 of the statutes is renumbered 635.11 (1m), and 635.11
15 (1m) (intro.), as renumbered, is amended to read:

16 635.11 (1m) (intro.) Before the sale of a plan or policy subject to this ~~subchapter~~
17 chapter, a small employer insurer shall disclose to a small employer all of the
18 following:

19 **SECTION 4933c.** 635.11 (1m) (e) of the statutes is created to read:

20 635.11 (1m) (e) As part of the small employer insurer’s solicitation and sales
21 materials, the availability of the information under par. (f).

22 **SECTION 4933e.** 635.11 (1m) (f) of the statutes is created to read:

23 635.11 (1m) (f) Upon the request of the small employer, the following
24 information:

1 1. The provisions, if any, of the plan or policy relating to preexisting condition
2 exclusions.

3 2. The benefits and premiums available under all health insurance coverage
4 offered by the small employer insurer for which the small employer is qualified.

5 **SECTION 4933g.** 635.11 (2m) of the statutes is created to read:

6 635.11 (2m) Information required to be disclosed under this section shall be
7 provided in a manner that is understandable to a small employer and shall be
8 sufficient to reasonably inform a small employer of the small employer's rights and
9 obligations under the health insurance coverage.

10 **SECTION 4933i.** 635.11 (3m) of the statutes is created to read:

11 635.11 (3m) A small employer insurer is not required under this section to
12 disclose information that is proprietary or trade secret information under applicable
13 law.

14 **SECTION 4934c.** 635.13 (1) of the statutes is amended to read:

15 635.13 (1) RECORDS. A small employer insurer shall maintain at its principal
16 place of business complete and detailed records relating to its rating methods and
17 practices and its renewal underwriting methods and practices, and shall make the
18 records available to the commissioner and the small employer insurance board upon
19 request.

20 **SECTION 4935m.** 635.18 (1) of the statutes is amended to read:

21 635.18 (1) Every small employer insurer shall actively market health benefit
22 plan coverage, ~~including basic health benefit plans,~~ to small employers in the state.
23 ~~If a small employer insurer denies coverage to a small employer under a health~~
24 ~~benefit plan that is not a basic health benefit plan on the basis of the health status~~
25 ~~or claims experience of the small employer or its eligible employees or their~~

1 ~~dependents, the small employer insurer shall offer the small employer the~~
2 ~~opportunity to purchase a basic health benefit plan.~~

3 **SECTION 4935p.** 635.18 (3) (c) of the statutes is repealed.

4 **SECTION 4935r.** 635.18 (7) of the statutes is amended to read:

5 635.18 (7) A 3rd-party administrator that enters into a contract, agreement
6 or other arrangement with a small employer insurer to provide administrative,
7 marketing or other services related to the offering of health benefit plans to small
8 employers in this state is subject to this ~~subchapter~~ chapter as if it were a small
9 employer insurer.

10 **SECTION 4936c.** 635.19 of the statutes is created to read:

11 **635.19 Issuance of coverage in small group market.** (1) (a) Except as
12 provided in subs. (2) to (6), a small employer insurer that offers a group health benefit
13 plan in the small group market shall do all of the following:

14 1. Accept any small employer in the state that applies for such coverage.

15 2. Accept for enrollment under such coverage any eligible individual who
16 applies for enrollment during the period in which the individual first becomes
17 eligible to enroll under the terms of the group health benefit plan.

18 3. Place no restriction on an eligible individual under par. (b) that is
19 inconsistent with s. 632.746 or 632.748.

20 (b) For purposes of this section, whether an individual is an “eligible
21 individual” in relation to a small employer shall be determined in accordance with
22 all of the following:

23 1. The terms of the group health benefit plan under which the individual is
24 applying for enrollment.

1 2. Rules of the small employer insurer offering the group health benefit plan
2 under which the individual is applying for enrollment, which rules must apply
3 uniformly in this state to small employers in the small group market.

4 3. All state laws that apply to small employer insurers and the small group
5 market.

6 **(2)** (a) A small employer insurer that offers a group health benefit plan in the
7 small group market through a network plan may do any of the following:

8 1. Limit the small employers that may apply for such coverage to those with
9 eligible individuals who reside, live or work in the service area of the network plan.

10 2. Within the service area of the network plan, deny such coverage to small
11 employers if the small employer insurer demonstrates to the commissioner all of the
12 following:

13 a. That the insurer does not have the capacity to deliver services adequately
14 to enrollees of any additional groups because of its obligations to existing group
15 contract holders and enrollees.

16 b. That the insurer is applying this subdivision uniformly to all small
17 employers without regard to the claims experience of those small employers or their
18 employes or employes' dependents or any other health status-related factor of those
19 employes or their dependents.

20 (b) A small employer insurer that denies coverage under par. (a) 2. in any
21 service area may not offer coverage in the small group market in that service area
22 for 180 days after the date on which the coverage was denied.

23 **(3)** (a) A small employer insurer that offers a group health benefit plan in the
24 small group market may deny small employers coverage under such a plan in the

1 small group market if the small employer insurer demonstrates to the commissioner
2 all of the following:

3 1. That the insurer does not have the financial reserves necessary to
4 underwrite additional coverage.

5 2. That the insurer is applying this paragraph uniformly to all small employers
6 in the small group market in the state in accordance with applicable state law and
7 without regard to the claims experience of those small employers or their employes
8 or employes' dependents or any other health status-related factor of those employes
9 or their dependents.

10 (b) A small employer insurer that denies coverage under par. (a) may not offer
11 a group health benefit plan in the small group market in the state for 180 days after
12 the date on which the coverage was denied or until the insurer demonstrates to the
13 commissioner that the insurer has sufficient financial reserves to underwrite
14 additional coverage, whichever is later.

15 (4) Subsection (1) shall not be construed to preclude a small employer insurer
16 from establishing, for the offering of a group health benefit plan in the small group
17 market, any of the following:

18 (a) Rules or requirements relating to the minimum level or amount of small
19 employer contribution toward the premium for the enrollment of participants and
20 beneficiaries.

21 (b) Rules or requirements relating to the minimum number or percentage of
22 participants or beneficiaries that must be enrolled in relation to a specified number
23 or percentage of eligible individuals or employes of a small employer.

24 (5) Subsection (1) does not apply to a group health benefit plan offered by a
25 small employer insurer in the small group market if all of the following apply:

1 (a) The group health benefit plan is offered in the small group market only
2 through one or more bona fide associations.

3 (b) The small employer insurer offering the group health benefit plan makes
4 the coverage available to all members of a bona fide association regardless of any
5 health status-related factors of the members or individuals eligible for coverage
6 through the members.

7 (c) The small employer insurer offering the group health benefit plan complies
8 with any rules of the commissioner that are reasonably designed to prevent the use
9 of an association for risk segmentation.

10 **(6)** The commissioner may by rule permit an exception to sub. (1) with respect
11 to a small employer for which coverage is nonrenewed or discontinued for a reason
12 specified under s. 632.749 (2) (a) or (b).

13 **SECTION 4937m.** Subchapter II of chapter 635 [precedes 635.20] of the statutes,
14 as affected by 1995 Wisconsin Act 289, is repealed.”.

15 **1215.** Page 1831, line 10: after that line insert:

16 “**SECTION 4946d.** 706.13 (1) of the statutes is amended to read:

17 706.13 (1) In addition to any criminal penalty or civil remedy provided by law,
18 any person who submits for filing, entering in the judgment and lien docket or
19 recording, any lien, claim of lien, lis pendens, writ of attachment, financing
20 statement or any other instrument relating to a security interest in or the title in to
21 real or personal property, knowing and who knows or should have known that the
22 contents or any part of the contents to be of the instrument are false, a sham or
23 frivolous, is liable in tort to any person interested in the property whose title is

1 thereby impaired, for punitive damages of \$1,000 plus any actual damages caused
2 by the filing, entering or recording.”.

3 **1216.** Page 1831, line 12: after that line insert:

4 “**SECTION 4948m.** 753.06 (8) (e) of the statutes is amended to read:

5 753.06 (8) (e) Oconto county. The circuit has one branch. Commencing August
6 1, 1998, the circuit has 2 branches.”.

7 **1217.** Page 1831, line 12: after that line insert:

8 “**SECTION 4951g.** 757.48 (1) (b) of the statutes is amended to read:

9 757.48 (1) (b) The guardian ad litem shall be allowed reasonable compensation
10 for his or her services such as is customarily charged by attorneys in this state for
11 comparable services. If the court orders a county to pay the compensation of the
12 guardian ad litem, the amount ordered may not exceed the compensation paid to
13 private attorneys under s. 977.08 (4m) (b). When a court appoints a guardian ad
14 litem for a person with a developmental disability, the court shall require the
15 guardian ad litem, as a condition of accepting the appointment, to submit a written
16 detailed statement of the services he or she plans to provide for the developmentally
17 disabled person. In addition, as a condition of receipt of compensation from a county,
18 a guardian ad litem shall provide an accounting of the services he or she did provide
19 to the developmentally disabled person on a form that the circuit court develops and
20 provides to the guardian ad litem. If a court-appointed guardian ad litem is required
21 to submit an accounting of the services he or she provided to a person with a
22 development disability, the guardian of that person with a development disability
23 shall have the right to review and comment to the court on the accounting statement
24 before the court approves the payment of compensation to the guardian ad litem. If

1 the attorney of record is also the guardian ad litem, the attorney shall be entitled only
2 to attorney fees and shall receive no compensation for services as guardian ad litem.”.

3 **1218.** Page 1832, line 15: delete that line and substitute “48.57 (3m) (b) 2. ~~or,~~
4 49.145 (2) (s), 49.19 (4) (h) 1. b. or 49.775 (2) (bm) if all of the following apply:”.

5 **1219.** Page 1878, line 5: after that line insert:

6 “SECTION 5165b. 799.24 (1) of the statutes is amended to read:

7 799.24 (1) ENTRY OF JUDGMENT OR ORDER; NOTICE OF ENTRY THEREOF. When a
8 judgment or an order is rendered, the judge, court commissioner or clerk of circuit
9 court shall immediately enter it in the court record and note the date thereof which
10 shall be the date of entry of judgment or order. The clerk of circuit court, except in
11 municipal and county forfeiture actions, shall mail a notice of entry of judgment to
12 the parties or their attorneys at their last-known address within 5 days of its entry.
13 Upon payment of the exact amount of the fee prescribed in s. 814.62 (3) (c), the clerk
14 of circuit court shall enter the judgment in the judgment and lien docket.”.

15 **1220.** Page 1878, line 5: after that line insert:

16 “SECTION 5165c. Subchapter IX (title) of chapter 779 [precedes 779.80] of the
17 statutes is amended to read:

18 **CHAPTER 779**

19 **SUBCHAPTER IX**

20 **HOSPITAL HEALTH CARE**

21 **PROVIDER LIENS**

22 **SECTION 5165e.** 779.80 (title) of the statutes is amended to read:

23 **779.80 (title) ~~Hospital~~ Health care provider liens.**

1 **SECTION 5165g.** 779.80 (1) of the statutes is renumbered 779.80 (1m) and
2 amended to read:

3 779.80 **(1m)** ~~Every corporation, association or other organization operating as~~
4 ~~a charitable institution and maintaining a hospital in this state shall have health~~
5 ~~care provider has a lien for services rendered, by way of treatment, care or~~
6 maintenance, to any person who has sustained personal injuries as a result of the
7 negligence, wrongful act or any tort of any other person.

8 **SECTION 5165i.** 779.80 (1b) of the statutes is created to read:

9 779.80 **(1b)** In this section, "health care provider" means all of the following:

10 (a) A corporation, association or other organization operating as a charitable
11 institution and maintaining a hospital in this state.

12 (b) A chiropractor licensed under ch. 446.

13 **SECTION 5165k.** 779.80 (2) of the statutes is amended to read:

14 779.80 **(2)** ~~Such lien shall attach to any and~~ The lien under this section attaches
15 to all rights of action, suits, claims, demands and upon any judgment, award or
16 determination, and upon the proceeds of any settlement which such the injured
17 person, or legal representatives might have against any such other person for
18 damages on account of such the injuries, for the amount of the reasonable and
19 necessary charges of such ~~hospital~~ the health care provider.

20 **SECTION 5165m.** 779.80 (3) (intro.) of the statutes is renumbered 779.80 (3) (ae)
21 and amended to read:

22 779.80 **(3)** (ae) ~~No such lien shall be~~ A lien under this section is not effective
23 unless the health care provider files a written notice containing under this
24 paragraph. The notice shall contain the name and address of the injured person, the
25 date and location of the event causing such the injuries, the name and location

1 ~~address of the hospital~~ health care provider, and if ascertainable by reasonable
2 diligence, the names and addresses of the persons alleged to be liable for damages
3 sustained by ~~such~~ the injured person, ~~The notice shall be filed in the office of the~~
4 ~~clerk of circuit court in the county in which such~~ the injuries have occurred, ~~or in the~~
5 ~~county in which such hospital~~ the health care provider is located, or in the county in
6 which suit for recovery of such damages is pending, ~~The notice shall be filed prior~~
7 ~~to the payment of any moneys to such~~ the injured person or legal representatives, but
8 in no event later than 60 days after ~~discharge of such injured person from the hospital~~
9 the date that the health care provider last provided services to the injured person for
10 the injuries.

11 **SECTION 5165o.** 779.80 (3) (a) of the statutes is renumbered 779.80 (3) (am) and
12 amended to read:

13 779.80 (3) (am) The clerk of circuit court shall enter all ~~hospital~~ liens created
14 under this section in the judgment and lien docket, including the name of the injured
15 person, the date of the event causing the injury and the name of the ~~hospital or other~~
16 ~~institution~~ health care provider making the claim. The clerk of circuit court shall
17 receive the fee prescribed in s. 814.61 (5) for entering each lien.

18 **SECTION 5165q.** 779.80 (3) (b) and (c) of the statutes are amended to read:

19 779.80 (3) (b) Within 10 days after filing of the notice of lien under par. (ae),
20 the ~~hospital~~ health care provider shall send by certified mail or registered mail or
21 serve personally a copy of ~~such~~ the notice with the date of filing thereof to or upon
22 the injured person and the person alleged to be liable for damages sustained by ~~such~~
23 the injured person, if ascertained by reasonable diligence. If ~~such hospital~~ the health
24 care provider fails to give notice if the name and address of the person injured or the

1 person allegedly liable for the injury are known or should be known, the lien ~~shall~~
2 ~~be~~ is void.

3 (c) The ~~hospital~~ health care provider shall also serve a copy of such the notice
4 under par. (ae), as provided in par. (b), to any insurer ~~which~~ that has insured such
5 the person alleged to be liable for the injury against such liability, if the name and
6 address may be ascertained by reasonable diligence.

7 **SECTION 5165s.** 779.80 (4) of the statutes is amended to read:

8 779.80 (4) After filing and service of the notice of lien, no release of any
9 judgment, claim or demand by the injured person ~~shall be~~ is valid as against such
10 the lien under this section, and the person making any payment to such the injured
11 person or legal representatives as compensation for the injuries sustained shall, for
12 a period of one year ~~from~~ after the date of such the payment, remain liable to the
13 ~~hospital~~ health care provider for the amount of such the lien.

14 **SECTION 5165u.** 779.80 (5) of the statutes is amended to read:

15 779.80 (5) ~~Such lien shall~~ The lien under this section does not in any way
16 prejudice or interfere with any lien or contract ~~which~~ that may be made by such the
17 injured person or legal representatives with any attorney ~~or attorneys~~ for legal
18 services rendered with respect to the claim of the injured person or legal
19 representatives against the person alleged to be liable for such the injury. Said lien
20 ~~shall also be subservient to actual~~ Actual taxable court costs, and actual
21 disbursements made by the attorney in prosecuting the court action have priority
22 over the lien under this section.

23 **SECTION 5165x.** 779.80 (6) of the statutes is amended to read:

1 779.80 (6) ~~No hospital is~~ A health care provider is not entitled to any lien under
2 this section if the person injured is eligible for compensation under ch. 102 or any
3 other worker's compensation act.”.

4 **1221.** Page 1882, line 9: after that line insert:

5 “**SECTION 5175g.** 806.10 (1) (intro.) of the statutes is amended to read:

6 806.10 (1) (intro.) At the time of entry of a judgment directing in whole or in
7 part the payment of money, or a judgment naming a spouse under s. 806.15 (4), and
8 upon payment of the exact amount of the fee prescribed in s. 814.61 (5) (b), the clerk
9 of circuit court shall enter the judgment in the judgment and lien docket, arranged
10 alphabetically, including all of the following:

11 **SECTION 5175m.** 806.10 (3) of the statutes is amended to read:

12 806.10 (3) Every clerk of circuit court who enters a judgment or decree and
13 enters upon the judgment and lien docket a date or time other than that of its actual
14 entry or neglects to enter the same at the proper time shall be liable ~~in treble~~
15 damages to the party injured.”.

16 **1222.** Page 1884, line 21: after that line insert:

17 “**SECTION 5194m.** 814.65 (1) of the statutes is amended to read:

18 814.65 (1) COURT COSTS. In a municipal court action, except an action for
19 violation of an ordinance in conformity with s. 347.48 (2m), the municipal judge shall
20 collect a fee of not less than \$15 nor more than \$23 on each separate matter, whether
21 it is on default of appearance, a plea of guilty or no contest, on issuance of a warrant
22 or summons or the action is tried as a contested matter. Of each \$15 fee received by
23 the judge under this subsection, the municipal treasurer shall pay monthly

1 ~~one-third~~ \$5 to the state treasurer for deposit in the general fund and shall retain
2 the balance for the use of the municipality.”.

3 **1223.** Page 1886, line 5: after that line insert:

4 “**SECTION 5200f.** 846.04 of the statutes is renumbered 846.04 (1) and amended
5 to read:

6 846.04 (1) The plaintiff may, in the complaint, demand judgment for any
7 deficiency that may remain due the plaintiff after sale of the mortgaged premises
8 against every party who is personally liable for the debt secured by the mortgage.
9 Judgment may be rendered for any deficiency remaining after applying the proceeds
10 of sale to the amount due. The judgment for deficiency shall be ordered in the original
11 judgment and separately rendered against the party liable on or after the
12 confirmation of sale. The judgment for deficiency shall be entered in the judgment
13 and lien docket and, except as provided in subs. (2) and (3), enforced as in other cases.

14 **SECTION 5200g.** 846.04 (2) of the statutes is created to read:

15 846.04 (2) Except as provided in sub. (3), if a mortgage foreclosure deficiency
16 judgment is entered on property devoted primarily to agricultural use, as defined in
17 s. 91.01 (5), an action on the deficiency judgment shall be commenced within 10 years
18 after the date on which the mortgage foreclosure deficiency judgment is entered or
19 be barred.

20 **SECTION 5200h.** 846.04 (3) of the statutes is created to read:

21 846.04 (3) If a mortgage foreclosure deficiency judgment was entered before
22 January 1, 1989, on property devoted primarily to agricultural use, as defined in s.
23 91.01 (5), an action on the deficiency judgment shall be commenced within 2 years
24 after the effective date of this subsection [revisor inserts date], or be barred. Not

1 later than 60 days prior to 2 years after the effective date of this subsection.... [revisor
2 inserts date], the clerk of each circuit court in which a mortgage foreclosure
3 deficiency judgment on property devoted primarily to agricultural use, as defined in
4 s. 91.01 (5), was entered before January 1, 1989, and remains unsatisfied, shall do
5 all of the following:

6 (a) Publish a notice as a class 1 notice under ch. 985, in the official newspaper
7 of the county where the mortgage foreclosure deficiency judgment was entered,
8 stating that the party holding the mortgage foreclosure deficiency judgment is
9 required to commence an action on the deficiency judgment prior to 2 years after the
10 effective date of this paragraph [revisor inserts date], or be barred from any
11 further action on that deficiency judgment.

12 (b) Notify by certified mail the primary plaintiff in the action for the mortgage
13 foreclosure deficiency judgment that the plaintiff is required to commence an action
14 on the deficiency judgment prior to 2 years after the effective date of this paragraph
15 [revisor inserts date], or be barred from any further action on that deficiency
16 judgment.”.

17 **1224.** Page 1890, line 17: after that line insert:

18 “SECTION 5217g. 893.40 of the statutes is amended to read:

19 **893.40 Action on judgment or decree; court of record.** An Except as
20 provided in s. 846.04 (2) and (3), action upon a judgment or decree of a court of record
21 of any state or of the United States shall be commenced within 20 years after the
22 judgment or decree is entered or be barred.”.

23 **1225.** Page 1893, line 3: after that line insert:

24 “SECTION 5225m. 895.483 (1) of the statutes is amended to read:

1 895.483 (1) A regional emergency response team, a member of such a team, and
2 a local agency, as defined in s. 166.22 (1) (c), that contracts with the ~~state emergency~~
3 ~~response board~~ division of emergency management in the department of military
4 affairs for the provision of a regional emergency response team, are immune from
5 civil liability for acts or omissions related to carrying out responsibilities under a
6 contract under s. 166.215 (1).”.

7 **1226.** Page 1893, line 10: after that line insert:

8 “**SECTION 5227j.** 905.20 of the statutes is created to read:

9 **905.20 Environmental audit privilege. (1) DEFINITIONS.** In this section:

10 (a) “Environmental audit” means an evaluation of a site or facility or of an
11 activity or management system related to a site or facility, if the evaluation meets
12 all of the following criteria:

13 1. Is conducted by or at the request of the owner or operator of the site or facility.

14 2. Is not required under a specific permit, license or approval condition or under
15 an order issued by the department.

16 3. Is undertaken for the purpose of identifying, documenting and improving
17 compliance with environmental requirements, to identify an environmental hazard,
18 contamination or other adverse environmental condition, or to improve an
19 environmental management system or process.

20 (b) “Environmental requirement” means a federal, state or local environmental
21 law, including any rule, regulation, ordinance, permit, license, approval or special
22 order issued under those laws. State environmental laws include chs. 160 and 280
23 to 299 and s. 166.20.

1 **(2) GENERAL RULE OF PRIVILEGE.** An owner or operator of a site or facility has
2 a privilege to refuse to disclose and to prevent any other person from disclosing any
3 document or record, stored in any format, that is collected or developed for the
4 primary purpose and in the course of, or as a result of, an environmental audit of the
5 owner's or operator's site or facility. This privilege may be claimed in any civil or
6 criminal action or administrative proceeding, including a contested case, as defined
7 in s. 227.01 (3). Disclosure of any part of an environmental audit to any of the
8 following does not waive the privilege under this section:

9 (a) An employe, agent, successor, assignee, director or shareholder of the owner
10 or operator of the site or facility.

11 (b) An attorney of the owner or operator of the site or facility.

12 (c) An independent contractor retained by the owner or operator of the site or
13 facility to review an issue raised as a result of the environmental audit.

14 (d) A partner or lender of the owner or operator of the site or facility or a person
15 whom the owner or operator is currently negotiating with regarding partnership,
16 transfer of ownership or lending of money.

17 (e) A state or federal official or employe under the terms of an agreement
18 between a state or federal agency and the owner or operator of the site or facility.

19 (f) The department of natural resources if the disclosure meets the conditions
20 under s. 299.94 (2) (a).

21 **(3) WHO MAY CLAIM THE PRIVILEGE.** (a) The privilege may be claimed by the
22 owner or operator of the site or facility. If the owner or operator of the site or facility
23 is a governmental unit, as defined in s. 939.648 (1), or a business entity, the privilege
24 may be claimed by a director, officer, official, shareholder, trustee or managing
25 employe, as defined in s. 49.498 (1) (e), or by any other employe who consented in

1 writing to the preparation of the environmental audit. The authority to claim the
2 privilege under this paragraph is presumed without evidence to the contrary.

3 (b) A person who may otherwise claim a privilege under par. (a) retains the
4 right to claim that privilege in any civil or administrative proceeding,
5 notwithstanding the use of an environmental audit in any criminal proceeding.

6 (4) EXCEPTIONS. (a) The privilege does not apply if a court of record, after an
7 in camera review of the environmental audit, including a statement listing any
8 activities undertaken as a result of the audit to achieve compliance with
9 environmental requirements, determines that the person seeking access to the
10 document or record related to an environmental audit proves by a preponderance of
11 the evidence any of the following:

12 1. That the privilege is asserted for a fraudulent purpose.

13 2. That the owner or operator of the site or facility failed to take the appropriate
14 responses necessary to achieve compliance within a reasonable time after any
15 noncompliance was discovered as the result of an environmental audit.

16 3. That the environmental audit provides information about a site or facility
17 that constitutes a violation of an environmental requirement and that the violation
18 was committed with knowledge by an owner or operator of the site or facility that the
19 site or facility violated an environmental requirement.

20 (b) The privilege does not apply to any of the following:

21 1. Documents, communication, data, reports or other information required to
22 be made available or reported to a regulatory agency or any other person by statute,
23 rule, ordinance, permit, license, approval, order or consent agreement, or as
24 otherwise provided by law.

1 2. Information obtained by the observation, sampling or monitoring conducted
2 by a state or federal agency that regulates compliance with federal environmental
3 requirements.

4 3. Information legally obtained from a source independent of an environmental
5 audit.”.

6 **1227.** Page 1898, line 2: after that line insert:

7 “**SECTION 5246d.** 938.22 (1) (a) of the statutes is amended to read:

8 938.22 (1) (a) The county board of supervisors may establish a secure detention
9 facility or a shelter care facility or both or the county boards of supervisors for 2 or
10 more counties may jointly establish a secure detention facility or a shelter care
11 facility or both in accordance with ss. 46.16, 46.20 and 301.36. A private entity may
12 establish a secure detention facility in accordance with ss. 301.36 and 301.37 and
13 contract with one or more county boards of supervisors under s. 938.222 for holding
14 juveniles in the private secure detention facility.

15 **SECTION 5247d.** 938.22 (1) (b) of the statutes is amended to read:

16 938.22 (1) (b) Subject to sub. (3) (ar), in counties having a population of less
17 than 500,000, the nonjudicial operational policies of the a public secure detention
18 facility or shelter care facility shall be determined by the county board of supervisors
19 or, in the case of a public secure detention facility or shelter care facility established
20 by 2 or more counties, by the county boards of supervisors for the 2 or more counties
21 jointly. Those policies shall be executed by the superintendent appointed under sub.
22 (3) (a).

23 **SECTION 5247g.** 938.22 (1) (c) of the statutes is amended to read:

1 938.22 (1) (c) In counties having a population of 500,000 or more, the
2 nonjudicial operational policies of ~~the~~ a public secure detention facility and the
3 detention section of the ~~juvenile delinquency~~ children's court center shall be
4 established by the county board of supervisors, and the execution thereof shall be the
5 responsibility of the director of the children's court center.

6 **SECTION 5247i.** 938.22 (1) (d) of the statutes is created to read:

7 938.22 (1) (d) The nonjudicial operational policies of a private secure detention
8 facility shall be established by the private entity operating the secure detention
9 facility. Those policies shall be executed by the superintendent appointed under sub.
10 (3) (bm).

11 **SECTION 5248d.** 938.22 (2) (a) of the statutes is amended to read:

12 938.22 (2) (a) Counties shall submit plans for the secure detention facility or
13 juvenile portion of the county jail to the department of corrections and submit plans
14 for the shelter care facility to the department of health and family services. A private
15 entity that proposes to establish a secure detention facility shall submit plans for the
16 secure detention facility to the department of corrections. The applicable
17 department shall review the submitted plans. ~~The counties~~ A county or a private
18 entity may not implement any such plan unless the applicable department has
19 approved the plan. The department of corrections shall promulgate rules
20 establishing minimum requirements for the approval of the operation of secure
21 detention facilities and the juvenile portion of county jails. The plans and rules shall
22 be designed to protect the health, safety and welfare of the juveniles in these
23 facilities.

24 **SECTION 5249d.** 938.22 (3) (bm) of the statutes is created to read:

1 938.22 (3) (bm) A private secure detention facility shall be in the charge of a
2 superintendent appointed by the private entity operating the secure detention
3 facility.

4 **SECTION 5249g.** 938.22 (3) (c) of the statutes is amended to read:

5 938.22 (3) (c) All superintendents appointed under par. (a) ~~or~~, (b) or (bm) after
6 May 1, 1992, shall, within one year after that appointment, successfully complete an
7 administrative training program approved or provided by the department of justice.

8 **SECTION 5249m.** 938.22 (5) of the statutes is amended to read:

9 938.22 (5) A county board of supervisors, or 2 or more county boards of
10 supervisors jointly, may contract with privately operated secure detention facilities,
11 shelter care facilities or home detention programs for purchase of services. A county
12 board of supervisors may delegate this authority to its county department.”.

13 **1228.** Page 1899, line 12: after that line insert:

14 “**SECTION 5253m.** 938.222 of the statutes is created to read:

15 **938.222 Contracts with private entities for secure detention facility**
16 **services. (1)** The county board of supervisors of any county may contract with a
17 private entity that operates a secure detention facility for the use of the secure
18 detention facility for the holding of juveniles who meet the criteria under s. 48.208,
19 938.17 (1), 938.183 (1m) (a) or 938.208 or who are subject to a disposition under s.
20 938.17 (1) (b) or 938.34 (3) (f), a sanction under s. 938.355 (6) (d) 1. or short-term
21 detention under s. 938.355 (6d) or 938.534 (1).

22 **(2)** (a) A contract under sub. (1) shall require all of the following:

23 1. That the private secure detention facility meet or exceed the minimum
24 requirements for the approval and operation of a secure detention facility

1 established by the department by rules promulgated under s. 938.22 (2) (a) and that
2 the private secure detention facility be approved by the department under s. 301.36.

3 2. That the private secure detention facility provide educational programming,
4 health care and other care that is equivalent to that which a juvenile would receive
5 if held in a public secure detention facility.

6 (b) In addition to the requirements under par. (a), a contract under sub. (1) shall
7 include all of the following:

8 1. The rates to be paid by the county for holding a juvenile in the private secure
9 detention facility and the charges to be paid by the county for any extraordinary
10 medical and dental expenses and any programming provided for a juvenile who is
11 held in the private secure detention facility.

12 2. An agreement that the county retains jurisdiction over a juvenile who is held
13 in the private secure detention facility.

14 3. An agreement that the private secure detention facility is subject to
15 investigation and inspection by the department under s. 301.36.

16 4. Any other matters that are necessary and appropriate concerning the
17 obligations, responsibilities and rights of the contracting counties and the
18 department.”.

19 **1229.** Page 1907, line 12: after that line insert:

20 “**SECTION 5275g.** 938.396 (1m) (a) of the statutes is amended to read:

21 938.396 (**1m**) (a) ~~If requested by the school district administrator of a public~~
22 ~~school district, a~~ A law enforcement agency, on its own initiative or on the request
23 of the school district administrator of a public school district or the school district
24 administrator’s designee, may, subject to official agency policy, provide to the school

1 district administrator or designee any information in its records relating to the use,
2 possession or distribution of alcohol or a controlled substance or controlled substance
3 analog by a ~~pupil~~ juvenile enrolled in the public school district. The information shall
4 be used by the school district as provided under s. 118.127 (2).

5 **SECTION 5275h.** 938.396 (1m) (am) of the statutes is amended to read:

6 938.396 (1m) (am) ~~If requested by a school district administrator of a public~~
7 ~~school district, a~~ A law enforcement agency, on its own initiative or on the request
8 of the school district administrator of a public school district or the school district
9 administrator's designee, may, subject to official agency policy, provide to the school
10 district administrator or designee any information in its records relating to the
11 illegal possession by a juvenile of a dangerous weapon, as defined in s. 939.22 (10).
12 The information shall be used by the school district as provided in s. 118.127 (2).

13 **SECTION 5275k.** 938.396 (1m) (ar) of the statutes is created to read:

14 938.396 (1m) (ar) A law enforcement agency, on its own initiative or on the
15 request of the school district administrator of a public school district or the school
16 district administrator's designee, may, subject to official agency policy, provide to the
17 school district administrator or designee any information in its records relating to
18 an act for which a juvenile enrolled in the school district was taken into custody
19 under s. 938.19 based on a law enforcement officer's belief that the juvenile was
20 committing or had committed an act that is a violation specified in s. 938.34 (4h) (a).
21 The information shall be used by the school district as provided in s. 118.127 (2).

22 **SECTION 5275m.** 938.396 (1m) (b) of the statutes is amended to read:

23 938.396 (1m) (b) ~~If requested by the school district administrator of a public~~
24 ~~school district, a~~ A law enforcement agency, on its own initiative or on the request
25 of the school district administrator of a public school district or the school district

1 administrator's designee, may disclose, subject to official agency policy, provide to
2 the school district administrator or designee any information in its records relating
3 to the act for which a juvenile enrolled in the public school district was adjudged
4 delinquent. The information shall be used by the school district as provided in s.
5 118.127 (3) (2)."

6 **1230.** Page 1913, line 4: after that line insert:

7 "SECTION 5336m. 943.60 (1) of the statutes is amended to read:

8 943.60 (1) Any person who submits for filing, entering or recording any lien,
9 claim of lien, lis pendens, writ of attachment, financing statement or any other
10 instrument relating to a security interest in or title in to real or personal property,
11 knowing and who knows or should have known that the contents or any part of the
12 contents to be of the instrument are false, a sham or frivolous, is guilty of a Class E
13 D felony."

14 **1231.** Page 1914, line 19: after that line insert:

15 "SECTION 5343j. 946.68 (1) of the statutes is renumbered 946.68 (1r) (a) and
16 amended to read:

17 946.68 (1r) (a) Whoever Except as provided in pars. (b) and (c), whoever sends
18 or delivers to another any document which simulates a summons, complaint, or court
19 legal process is guilty of a Class E felony.

20 (b) If the document under par. (a) is sent or delivered with intent thereby to
21 induce payment of a claim, the person is guilty of a Class B misdemeanor D felony.

22 SECTION 5343k. 946.68 (1g) of the statutes is created to read:

23 946.68 (1g) In this section, "legal process" includes a subpoena, summons,
24 complaint, warrant, injunction, writ, notice, pleading, order or other document that

1 directs a person to perform or refrain from performing a specified act and compliance
2 with which is enforceable by a court or governmental agency.

3 **SECTION 5343L.** 946.68 (1r) (c) of the statutes is created to read:

4 946.68 (1r) (c) If the document under par. (a) simulates any criminal process,
5 the person is guilty of a Class D felony.

6 **SECTION 5343m.** 946.68 (2) of the statutes is amended to read:

7 946.68 (2) Proof that ~~the~~ a document specified under sub. (1r) was mailed or
8 was delivered to any person with intent that it be forwarded to the intended recipient
9 is sufficient proof of sending.

10 **SECTION 5343t.** 946.69 (2) (intro.) of the statutes is amended to read:

11 946.69 (2) (intro.) Whoever does any of the following is guilty of a Class ~~A~~
12 ~~misdemeanor~~ E felony.”.

13 **1232.** Page 1914, line 23: after that line insert:

14 “**SECTION 5346e.** 951.01 (3f) of the statutes is created to read:

15 951.01 (3f) “Fire department” includes a volunteer fire department and a
16 department under s. 61.66.

17 **SECTION 5346f.** 951.095 (title) of the statutes is amended to read:

18 **951.095** (title) **Harassment of police and fire animals.**

19 **SECTION 5346g.** 951.095 (1) (intro.) of the statutes is amended to read:

20 951.095 (1) (intro.) No person may do any of the following to any animal that
21 is used by a law enforcement agency or fire department to perform agency or
22 department functions or duties:

23 **SECTION 5346h.** 951.18 (2m) of the statutes is amended to read:

1 951.18 **(2m)** Any person who violates s. 951.095 is subject to a Class B
2 forfeiture. Any person who intentionally or negligently violates s. 951.095, knowing
3 that the animal that is the victim is used by a law enforcement agency or fire
4 department to perform agency or department functions or duties, is guilty of a Class
5 A misdemeanor. Any person who intentionally violates s. 951.095, knowing that the
6 animal that is the victim is used by a law enforcement agency or fire department to
7 perform agency or department functions or duties and causing injury to the animal,
8 is guilty of a Class E felony. Any person who intentionally violates s. 951.095,
9 knowing that the animal that is the victim is used by a law enforcement agency or
10 fire department to perform agency or department functions or duties and causing
11 death to the animal, is guilty of a Class D felony.”.

12 **1233.** Page 1914, line 23: after that line insert:

13 “**SECTION 5346d.** 949.06 (5) (a) of the statutes is amended to read:

14 949.06 **(5)** (a) Except as provided in pars. (b) to (e), the department shall make
15 awards under this section from the appropriations under s. 20.455 (5) (b), (j) (kj) and
16 (m).”.

17 **1234.** Page 1927, line 22: after that line insert:

18 “**SECTION 5491d.** 980.06 (2) (c) of the statutes is amended to read:

19 980.06 **(2)** (c) If the court finds that the person is appropriate for supervised
20 release, the court shall notify the department. The department and the county
21 department under s. 51.42 in the county of residence of the person, as determined
22 under s. 980.105, shall prepare a plan that identifies the treatment and services, if
23 any, that the person will receive in the community. The plan shall address the
24 person’s need, if any, for supervision, counseling, medication, community support

1 services, residential services, vocational services, and alcohol or other drug abuse
2 treatment. The department may contract with a county department, under s. 51.42
3 (3) (aw) 1. d., with another public agency or with a private agency to provide the
4 treatment and services identified in the plan. The plan shall specify who will be
5 responsible for providing the treatment and services identified in the plan. The plan
6 shall be presented to the court for its approval within 21 days after the court finding
7 that the person is appropriate for supervised release, unless the department, county
8 department and person to be released request additional time to develop the plan.
9 If the county department of the person's county of residence declines to prepare a
10 plan, the department may arrange for another county to prepare the plan if that
11 county agrees to prepare the plan and if the person will be living in that county. If
12 the department is unable to arrange for another county to prepare a plan, the court
13 shall designate a county department to prepare the plan, order the county
14 department to prepare the plan and place the person on supervised release in that
15 county, except that the court may not so designate the county department in the a
16 county where the a facility in which the person was ~~committed~~ placed for
17 institutional care is located unless that county is also the person's county of
18 residence.”.

19 **1235.** Page 1929, line 15: after that line insert:

20 “SECTION 5491y. 980.08 (5) of the statutes is amended to read:

21 980.08 (5) If the court finds that the person is appropriate for supervised
22 release, the court shall notify the department. The department and the county
23 department under s. 51.42 in the county of residence of the person, as determined
24 under s. 980.105, shall prepare a plan that identifies the treatment and services, if

1 any, that the person will receive in the community. The plan shall address the
2 person's need, if any, for supervision, counseling, medication, community support
3 services, residential services, vocational services, and alcohol or other drug abuse
4 treatment. The department may contract with a county department, under s. 51.42
5 (3) (aw) 1. d., with another public agency or with a private agency to provide the
6 treatment and services identified in the plan. The plan shall specify who will be
7 responsible for providing the treatment and services identified in the plan. The plan
8 shall be presented to the court for its approval within 60 days after the court finding
9 that the person is appropriate for supervised release, unless the department, county
10 department and person to be released request additional time to develop the plan.
11 If the county department of the person's county of residence declines to prepare a
12 plan, the department may arrange for another county to prepare the plan if that
13 county agrees to prepare the plan and if the person will be living in that county. If
14 the department is unable to arrange for another county to prepare a plan, the court
15 shall designate a county department to prepare the plan, order the county
16 department to prepare the plan and place the person on supervised release in that
17 county, except that the court may not so designate the county department in the a
18 county where ~~the a~~ facility in which the person was ~~committed~~ placed for
19 institutional care is located unless that county is also the person's county of
20 residence.”.

21 **1236.** Page 1930, line 19: after that line insert:

22 “**SECTION 5503h.** 1995 Wisconsin Act 27, section 9148 (3z) (b) is amended to
23 read:

1 [1995 Wisconsin Act 27] Section 9148 (3z) (b) Any person who holds a permit,
2 license or certificate issued by the department of revenue that expires on or after
3 December 31, 1995, for an activity for which a business tax registration certificate
4 is required on or after January 1, 1996, shall, ~~upon application,~~ be issued at no charge
5 a business tax registration certificate under section 73.03 (50) of the statutes, as
6 created by this act, that expires on a date that is determined by the department of
7 revenue and that is between January 1, 1998, and December 31, 1999.”.

8 **1237.** Page 1934, line 4: delete lines 4 and 5.

9 **1238.** Page 1934, line 7: delete that line.

10 **1239.** Page 1934, line 8: after that line insert:

11 “**SECTION 5509m.** 1995 Wisconsin Act 445, section 14 is repealed.

12 **SECTION 5510d.** 1995 Wisconsin Act 445, section 23 (1) is amended to read:

13 [1995 Wisconsin Act 445] Section 23 (1) The repeal of sections 14.26 (4m) and
14 20.395 (5) (qr) of the statutes and the amendment of sections 341.14 (6r) ~~(bm)~~ 1. ~~(by~~
15 ~~SECTION 14),~~ (c) (by SECTION 16) and (e) (by SECTION 18) and 341.16 (1) (b) (by SECTION
16 22) of the statutes take effect on January 1, 1999.”.

17 **1240.** Page 1934, line 9: delete lines 9 to 12 and substitute:

18 “**SECTION 5510em.** 1995 Wisconsin Act 445, section 23 (2) is amended to read:

19 [1995 Wisconsin Act 445] Section 23 (2) The repeal of sections 13.101 (3m),
20 20.525 (1) (k) and ~~(qr)~~, 20.865 (4) (c), ~~25.40 (2) (b)~~ 20p. and 341.14 (6r) (bg) and (f) 52.
21 of the statutes takes effect on July 1, 1999.”.

22 **1241.** Page 1934, line 13: delete lines 13 to 19 and substitute:

23 “**SECTION 5510j.** 1995 Wisconsin Act 453, section 5g is repealed.

24 **SECTION 5510n.** 1995 Wisconsin Act 453, section 12 (1) (b) is repealed.”.

1 **1242.** Page 1935, line 13: after that line insert:

2 “(1c) SUPPLEMENTAL TITLE FEE MATCHING. Notwithstanding section 20.855 (4) (f)
3 of the statutes, as created by this act, the transfer of funds from the general fund to
4 the environmental fund in an amount equal to the amount of supplemental title fees
5 collected under section 342.14 (3m) of the statutes, as affected by this act, for 1997
6 shall be made no later than October 15, 1997, or the 15th day after the date on which
7 certification is made under SECTION 9149 (1c) of this act, whichever is later.”.

8 **1243.** Page 1941, line 22: after that line insert:

9 “(13m) REPEAL OF THE DEPOSITORY SELECTION BOARD.

10 (a) *Rules and orders.* All rules promulgated by the depository selection board
11 that are in effect on the effective date of this paragraph remain in effect until their
12 specified expiration dates or until amended or repealed by the state treasurer. All
13 orders issued by the depository selection board that are in effect on the effective date
14 of this paragraph remain in effect until their specified expiration dates or until
15 modified or rescinded by the state treasurer.

16 (b) *Pending matters.* Any matter pending with the depository selection board
17 on the effective date of this paragraph is transferred to the state treasurer and all
18 materials submitted to or actions taken by the depository selection board with
19 respect to the pending matter are considered as having been submitted to or taken
20 by the state treasurer.”.

21 **1244.** Page 1941, line 22: after that line insert:

22 “(13p) EDUCATIONAL TECHNOLOGY HARDWARE AND SOFTWARE PURCHASES. The
23 technology for educational achievement in Wisconsin board shall use the procedure
24 under section 227.24 of the statutes to propose emergency rules establishing

1 standards and specifications for purchases of educational technology hardware and
2 software by school districts, cooperative educational service agencies, technical
3 college districts and the board of regents of the University of Wisconsin System under
4 section 44.71 (2) (g) of the statutes, as created by this act. Prior to promulgation of
5 emergency rules under this subsection, the board shall submit the proposed
6 emergency rules to the cochairpersons of the joint committee on finance. If the
7 cochairpersons of the committee do not notify the board that the committee has
8 scheduled a meeting for the purpose of reviewing the proposed emergency rules
9 within 14 working days after the date of the board's submittal, the board shall
10 promulgate the emergency rules as proposed by the board. If, within 14 working days
11 after the date of the board's submittal, the cochairpersons of the committee notify the
12 board that the committee has scheduled a meeting for the purpose of reviewing the
13 proposed emergency rules, the board shall promulgate the emergency rules only
14 upon approval of the committee. Notwithstanding section 227.24 (1) (a) and (2) (b)
15 of the statutes, the board need not provide evidence of the necessity of preserving the
16 public peace, health, safety or welfare in promulgating rules under this subsection.
17 Notwithstanding section 227.24 (3) of the statutes, no statement is required to be
18 filed with such emergency rules.”.

19 **1245.** Page 1941, line 22: after that line insert:

20 “(13g) UNIVERSITY OF WISCONSIN SYSTEM REAL ESTATE STUDY. The department of
21 administration shall contract with a private consulting firm to study the
22 introduction of a value-based approach to the management of real estate under the
23 jurisdiction of the board of regents of the University of Wisconsin System, and the
24 planning, design, authorization and approval processes for construction projects on

1 such real estate. In the study, the contractor shall assess a sample portion of existing
2 real estate managed by the board of regents, other than at the University of
3 Wisconsin-Madison, which shall include at least 1,000,000 but not more than
4 2,000,000 square feet of interior space in buildings utilized for various purposes,
5 including administrative, instructional and recreational purposes. The contractor
6 shall assess the existing processes for management of the real estate and for
7 planning, design, authorization and approval of construction projects on the real
8 estate and shall also assess an alternative approach for these processes using a
9 value-based analysis. The contractor shall then compare the 2 approaches,
10 determine possible changes in the current approach from which the state could
11 realize savings and project the estimated amount of savings that would be realized.
12 The contractor shall include in its study an analysis of whether the board of regents
13 is scheduling classes in such a manner as to permit the state to obtain the greatest
14 possible value for its investment in instructional facilities under the management
15 of the board.”.

16 **1246.** Page 1941, line 22: after that line insert:

17 “(13n) UNBUDGETED INCREASES IN COMPENSATION, FRINGE BENEFITS AND RELATED
18 ADJUSTMENTS.

19 (a) *Amounts available for lapses.* Of the amounts appropriated under section
20 20.865 (4) (a) of the statutes, \$3,330,000 in fiscal year 1997-98 and \$6,670,000 in
21 fiscal year 1998-99 may be used only for lapses under this subsection. From the
22 amounts appropriated under section 20.865 (4) (a) of the statutes, no more than
23 \$3,330,000 in fiscal year 1997-98 and no more than \$6,670,000 in fiscal year 1998-99
24 may be used for lapses under this subsection.

1 (b) *Department of administration reports.* If the secretary of administration
2 determines that the total amount to be expended under section 20.865 (1) (c), (ci) and
3 (d) of the statutes for the 1997–98 fiscal year or the 1998–99 fiscal year will exceed
4 the amount for that fiscal year that is designated under “General Purpose Revenue”
5 under the heading “Summary of Compensation Reserves -- All Funds” in the
6 summary schedule under section 20.005 (1) of the statutes, the secretary shall
7 submit a report to the cochairpersons of the joint committee on finance indicating the
8 amount by which the secretary estimates that the total amount to be expended will
9 exceed the amount in the summary schedule.

10 (c) *Passive review procedure; lapses.* If the cochairpersons of the joint
11 committee on finance do not notify the secretary of administration that the
12 committee has scheduled a meeting for the purpose of reviewing a report submitted
13 under paragraph (b) within 14 working days after the date of the report’s submittal,
14 there is lapsed from the appropriation account under section 20.865 (4) (a) of the
15 statutes to the general fund an amount equal to the lesser of the amount specified
16 in the report or the amount available under paragraph (a) for lapses for that fiscal
17 year. If, within 14 working days after the date of the report’s submittal, the
18 cochairpersons of the committee notify the secretary that the committee has
19 scheduled a meeting for the purpose of reviewing the report, the committee may
20 direct the secretary to lapse an amount determined by the committee from the
21 appropriation account under section 20.865 (4) (a) of the statutes to the general fund,
22 not to exceed the amount available under paragraph (a) for lapses for that fiscal
23 year.”.

24 **1247.** Page 1942, line 12: after that line insert:

1 “(1h) LAND AND WATER CONSERVATION PROGRAM FUNDING FOR COUNTY STAFF. The
2 department of agriculture, trade and consumer protection shall allocate \$500,000
3 from the appropriation account under section 20.115 (7) (qd) of the statutes in fiscal
4 year 1998-99 for funding land and water conservation staff in counties that on July
5 1, 1997, do not receive funding for staff under the nonpoint source water pollution
6 abatement program under section 281.65 of the statutes. The department of
7 agriculture, trade and consumer protection and the department of natural resources
8 shall develop a plan for distributing the funding to counties and shall submit the plan
9 to the land and water conservation board for approval.”.

10 **1248.** Page 1942, line 18: after that line insert:

11 “(2m) FARM MEDIATION AND ARBITRATION BOARD.

12 (a) *Rules.* All rules promulgated by the farm mediation and arbitration board
13 that are in effect on the effective date of this paragraph remain in effect until their
14 specified expiration date or until amended or repealed by the department of
15 agriculture, trade and consumer protection.

16 (b) *Pending matters.* Any matter pending with the farm mediation and
17 arbitration board on the effective date of this paragraph is transferred to the
18 department of agriculture, trade and consumer protection and all materials
19 submitted to or actions taken by the farm mediation and arbitration board with
20 respect to the pending matter are considered as having been submitted to or taken
21 by the department of agriculture, trade and consumer protection.”.

22 **1249.** Page 1942, line 18: after that line insert:

23 “(2w) EXTENSION OF CERTAIN COMMERCIAL PESTICIDE APPLICATOR CERTIFICATIONS.

24 Notwithstanding section 94.705 (1) (b) of the statutes, the department of agriculture,

1 trade and consumer protection may extend, for one year beyond the scheduled
2 expiration date, commercial pesticide applicator certifications that are scheduled to
3 expire in 1998 for pesticide applicators certified in the categories of forest pest
4 control, ornamental and turf pest control or right-of-way pest control. The
5 department may extend the certifications without requiring retesting under section
6 94.705 (2) of the statutes.”.

7 **1250.** Page 1942, line 18: after that line insert:

8 “(3x) AGRICULTURAL INVESTMENT AIDS. From the appropriation under section
9 20.115 (4) (c) of the statutes, as affected by this act, the department of agriculture,
10 trade and consumer protection shall expend at least \$100,000 for agricultural
11 research and development grants under section 93.46 (2) of the statutes during each
12 fiscal year of the 1997-99 fiscal biennium.”.

13 **1251.** Page 1942, line 19: after that line insert:

14 “(1g) PERCENT-FOR-ARTS PROGRAM. The authorized FTE positions for the arts
15 board are decreased by 1.0 PR position to reflect elimination of the percent-for-arts
16 program.”.

17 **1252.** Page 1948, line 5: delete lines 5 and 6 and adjust the appropriate totals
18 accordingly.

19 **1253.** Page 1949, line 6: delete lines 6 and 7 and adjust the appropriate totals
20 accordingly.

21 **1254.** Page 1960, line 9: increase the dollar amount by \$1,000,000, and
22 adjust the appropriate totals accordingly.

23 **1255.** Page 1963, line 19: after “department” insert “of transportation”.

24 **1256.** Page 1963, line 21: after that line insert:

1 **“SECTION 9109. Nonstatutory provisions; circuit courts.**

2 (1ttg) CIRCUIT COURT BRANCH, 1998. The initial election for circuit judge for
3 branch 2 of the circuit court for Oconto County shall be at the spring election of 1998
4 for a term commencing August 1, 1998, and ending July 31, 2004.

5 (1tug) CIRCUIT JUDGE POSITION. The authorized FTE positions for the circuit
6 courts are increased by 1.0 GPR circuit judge position on August 1, 1998, to be funded
7 from the appropriation under section 20.625 (1) (a) of the statutes, to provide an
8 additional circuit court judge for the circuit court branch for Oconto County created
9 by this act.

10 (1tvg) COURT REPORTER POSITION. The authorized FTE positions for the circuit
11 courts are increased by 1.0 GPR court reporter position on August 1, 1998, to be
12 funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide
13 one additional court reporter for the circuit court branch for Oconto County created
14 by this act.”.

15 **1257.** Page 1963, line 21: after that line insert:

16 “(14t) STATE FAIR PARK RACETRACK IMPROVEMENTS. Notwithstanding section
17 18.04 (2) of the statutes, the building commission may not authorize public debt to
18 be contracted under section 20.866 (2) (zz) of the statutes for the building project
19 identified under subsection (1) (g) 2. as “Racetrack improvements” until the
20 legislative audit bureau has notified the building commission that the bureau has
21 completed the review required under SECTION 9132 (2t) of this act.”.

22 **1258.** Page 1969, line 20: delete the material beginning with that line and
23 ending with page 1970, line 2.

1 **1259.** Page 1970, line 3: delete the material beginning with that line and
2 ending with page 1971, line 18.

3 **1260.** Page 1972, line 22: after that line insert:

4 “(5z) GANG VIOLENCE PREVENTION COUNCIL. The authorized FTE positions for
5 the department of corrections, funded from the appropriation under section 20.410
6 (3) (a) of the statutes, as affected by this act, are decreased by 1.0 GPR position to
7 reflect the elimination of the gang violence prevention council.”.

8 **1261.** Page 1972, line 22: after that line insert:

9 “**SECTION 9119. Nonstatutory provisions; financial institutions.**

10 (1h) REPEAL OF CONSUMER CREDIT REVIEW BOARD; PENDING MATTERS. All matters
11 pending before the consumer credit review board on the effective date of this
12 subsection are terminated without prejudice. Notwithstanding section 227.53 (1) (a)
13 2. of the statutes, a person may seek review, under section 227.53 of the statutes, of
14 any matter which is pending before the consumer credit review board on the effective
15 date of this subsection. In order to seek such review, the person shall file a petition
16 for review, in the manner specified in section 227.53 of the statutes, and shall serve
17 the petition upon all parties under section 227.48 of the statutes, within 30 days after
18 the effective date of this subsection.”.

19 **1262.** Page 1977, line 25: after that line insert:

20 “(3g) ELIMINATION OF PESTICIDE REVIEW BOARD.

21 (a) *Contracts.* All contracts entered into by the pesticide review board in effect
22 on the effective date of this paragraph are terminated on that date. All contracts
23 entered into by the department of health and family services in effect on the effective
24 date of this paragraph that are primarily related to the functions of the pesticide

1 review board, as determined by the secretary of administration, are terminated on
2 that date.

3 (b) *Rules, orders and permits.* All rules promulgated or orders issued by the
4 pesticide review board that are in effect on the effective date of this paragraph are
5 rescinded on that date. All permits issued by the pesticide review board that are in
6 effect on the effective date of this paragraph remain in effect until their expiration
7 date or until rescinded by the department of agriculture, trade and consumer
8 protection, whichever comes first.

9 (c) *Pending matters.* Any matter pending with the pesticide review board on
10 the effective date of this paragraph is terminated and all materials submitted to or
11 actions taken before the effective date of this paragraph by the pesticide review board
12 with respect to the pending matter are considered to be void.”.

13 **1263.** Page 1978, line 9: after that line insert:

14 “(4t) BLASTOMYCOSIS STUDY. The department of health and family services, in
15 cooperation with other state agencies, shall study whether there is a correlation
16 between the presence of wetlands and the increase in cases of blastomycosis. The
17 department shall submit a report on the results of the study to the legislature in the
18 manner provided in section 13.172 (2) of the statutes no later than June 30, 1999.”.

19 **1264.** Page 1979, line 22: after that line insert:

20 “(6m) OSTEOPOROSIS PREVENTION AND EDUCATION. From the appropriation
21 account under section 20.435 (5) (cb) of the statutes, as created by this act, the
22 department of health and family services may create an osteoporosis prevention and
23 education program to raise public awareness concerning the causes and nature of

1 osteoporosis, the risk factors for developing osteoporosis, the value of prevention and
2 early detection of osteoporosis and options for diagnosing and treating osteoporosis.”.

3 **1265.** Page 1980, line 11: delete “9.5” and substitute “10.0”.

4 **1266.** Page 1981, line 17: after “board” insert “and the department of
5 workforce development”.

6 **1267.** Page 1982, line 17: after that line insert:

7 “(12p) BOARD ON HUNGER.

8 (a) *Contracts.* All contracts entered into by the board on hunger in effect on the
9 effective date of this paragraph remain in effect and are transferred to the
10 department of health and family services. The department of health and family
11 services shall carry out any such contractual obligations until modified or rescinded
12 by the department of health and family services to the extent allowed under the
13 contract.

14 (b) *Rules and orders.* All rules promulgated by the board on hunger that are
15 in effect on the effective date of this paragraph remain in effect until their specified
16 expiration date or until amended or repealed by the department of health and family
17 services. All orders issued by the board on hunger that are in effect on the effective
18 date of this paragraph remain in effect until their specified expiration date or until
19 modified or rescinded by the department of health and family services.

20 (c) *Pending matters.* Any matter pending with the board on hunger on the
21 effective date of this paragraph is transferred to the department of health and family
22 services and all materials submitted to or actions taken by the board on hunger with
23 respect to the pending matter are considered as having been submitted to or taken
24 by the department of health and family services.

1 (d) *Equipment and records.* On the effective date of this paragraph, all
2 furniture, equipment, supplies and records of the board on hunger are transferred
3 to the department of health and family services.

4 (e) *Assets and liabilities.* On the effective date of this paragraph, the assets and
5 liabilities of the board on hunger shall become the assets and liabilities of the
6 department of health and family services.”.

7 **1268.** Page 1982, line 17: after that line insert:

8 “(13b) NURSING HOME OCCUPANCY RATE STANDARD. The department of health and
9 family services, in applying the 91% occupancy rate standard for nursing homes for
10 the 1997–99 fiscal biennium, shall use a facility’s rate for the most recently
11 completed one–year period.”.

12 **1269.** Page 1982, line 17: after that line insert:

13 “(13d) DIRECT CARE SERVICES. Of the amounts budgeted for the 1997–98 fiscal
14 year for an aggregate increase in payments to nursing homes from the
15 appropriations under section 20.435 (5) (b) and (o) of the statutes, as affected by this
16 act, no funding in excess of that needed to meet the parameters set forth for the
17 nursing home formula need be used to increase the direct care target above 103% of
18 the statewide median.”.

19 **1270.** Page 1982, line 17: after that line insert:

20 “(12j) TAX CREDIT FOR CARE OF ELDERLY PERSONS. The department of health and
21 family services shall, in consultation with the department of revenue, develop
22 proposed legislation to create a tax credit for individuals who provide care for elderly
23 persons. The department of health and family services shall submit the report to the

1 legislature in the manner provided under section 13.172 (2) of the statutes no later
2 than January 30, 1998.”.

3 **1271.** Page 1983, line 6: after “revenue.” insert “The report may not include
4 any appropriation reductions relating to burial sites preservation.”.

5 **1272.** Page 1985, line 8: after that line insert:

6 “(5t) LABOR AND MANAGEMENT COUNCIL. The authorized FTE positions for the
7 department of workforce development, funded from the appropriation under section
8 20.445 (1) (a) of the statutes, are decreased by 1.0 GPR position to reflect the
9 elimination of the labor and management council.”.

10 **1273.** Page 1985, line 8: after that line insert:

11 “(5g) ALLOCATION FOR EQUIPMENT FOR COUNTY CHILD SUPPORT AGENCIES. Of the
12 amounts appropriated to the department of workforce development under section
13 20.445 (3) (a) of the statutes, as affected by this act, \$150,000 in fiscal year 1997-98
14 shall be allocated for the purchase of kids information and data system (KIDS)
15 equipment for county child support agencies. Of the amounts appropriated to the
16 department of workforce development under section 20.445 (3) (n) of the statutes,
17 \$600,000 in fiscal year 1997-98 shall be allocated for the purchase of kids
18 information and data system (KIDS) equipment for county child support agencies.”.

19 **1274.** Page 1998, line 15: after that line insert:

20 “(2t) REVIEW OF RACETRACK OPERATION CONTRACT COMPLIANCE. No later than July
21 1, 1998, the legislative audit bureau shall review any contract entered into by the
22 state fair park board with respect to the operation of a racetrack on the grounds of
23 the state fair park to determine whether the racetrack operator has complied with

1 all of the terms of the contract. The legislative audit bureau shall notify the building
2 commission when the bureau has completed its review under this subsection.”.

3 **1275.** Page 1998, line 19: delete lines 19 to 23 and substitute “shall allocate
4 \$14,000,000 to supplement payments under section 49.775 of the statutes, as created
5 by this act, for the support of dependent children of recipients under the federal
6 supplemental security income program or under section 49.77 of the statutes.”.

7 **1276.** Page 1999, line 1: delete “(ed) of the statutes, as affected” and
8 substitute “(ky) of the statutes”.

9 **1277.** Page 1999, line 2: delete the material beginning with “by” and ending
10 with “purposes” on line 3 and substitute “for the purpose”.

11 **1278.** Page 1999, line 5: delete lines 5 and 6 and substitute:

12 “1. The department of health and family services submits to the committee a
13 request for the funds.”.

14 **1279.** Page 1999, line 8: delete “secretaries of the” and substitute “secretary
15 of”.

16 **1280.** Page 1999, line 9: delete “departments” and substitute “health and
17 family services”.

18 **1281.** Page 1999, line 11: delete lines 11 to 16.

19 **1282.** Page 1999, line 18: delete “appropriations” and substitute
20 “appropriation under section 20.435 (7) (ky) of the statutes”.

21 **1283.** Page 1999, line 19: after that line insert:

22 “(4z) PARTICIPATING EMPLOYMENT BY ANNUITANTS IN THE WISCONSIN RETIREMENT
23 SYSTEM.

1 (a) The retirement research committee is requested to study the extent to
2 which participants in the Wisconsin retirement system are concurrently receiving
3 a salary from a participating employer in the Wisconsin retirement system and an
4 annuity from the Wisconsin retirement system.

5 (b) If the retirement research committee conducts the study specified in
6 paragraph (a), the retirement research committee shall submit a report of its
7 findings and recommendations to the joint survey committee on retirement systems
8 by February 8, 1998. At the time that the retirement research committee submits
9 the report to the joint survey committee on retirement systems, the retirement
10 research committee may also submit proposed legislation that is necessary to
11 implement the retirement research committee's recommendations.”.

12 **1284.** Page 1999, line 19: after that line insert:

13 “(3x) AUDIT OF MASS TRANSIT SERVICES.

14 (a) In this subsection, “mass transit system” has the meaning given in section
15 85.20 (1) (e) of the statutes.

16 (b) The legislative audit bureau shall conduct a financial audit of mass transit
17 services provided to the campuses of the University of Wisconsin System. As part
18 of its audit, the bureau shall examine the subsidies provided to mass transit systems
19 by the University of Wisconsin System and compare the revenue derived from fares
20 to the operating expenses of mass transit systems. The bureau shall submit its audit
21 report to the joint committee on finance by December 31, 1998.”.

22 **1285.** Page 2000, line 3: after that line insert:

23 “SECTION 9136. Nonstatutory provisions; military affairs.

24 (1m) EMERGENCY MANAGEMENT.

1 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets
2 and liabilities of the state emergency response board shall become the assets and
3 liabilities of the division of emergency management in the department of military
4 affairs.

5 (b) *Tangible personal property.* On the effective date of this paragraph, all
6 tangible personal property of the state emergency response board is transferred to
7 the division of emergency management in the department of military affairs.

8 (c) *Contracts.* All contracts entered into by the state emergency response board
9 that are in effect on the effective date of this paragraph are transferred to the division
10 of emergency management in the department of military affairs. The division of
11 emergency management in the department of military affairs shall carry out any
12 obligations under such a contract until modified or rescinded by the division of
13 emergency management in the department of military affairs to the extent allowed
14 under the contract.

15 (d) *Rules and orders.* All rules promulgated by the state emergency response
16 board that are in effect on the effective date of this paragraph remain in effect until
17 their specified expiration dates or until amended or repealed by the division of
18 emergency management in the department of military affairs. All orders issued by
19 the state emergency response board that are in effect on the effective date of this
20 paragraph remain in effect until their specified expiration dates or until modified or
21 rescinded by the division of emergency management in the department of military
22 affairs.

23 (e) *Pending matters.* Any matter pending with the state emergency response
24 board on the effective date of this paragraph is transferred to the division of
25 emergency management in the department of military affairs and all materials

1 submitted to or actions taken by the state emergency response board with respect to
2 a pending matter are considered as having been submitted to or taken by the division
3 of emergency management in the department of military affairs.”.

4 **1286.** Page 2000, line 11: substitute “(1) (a) and (2) (b)” for “(1) and (3)”.

5 **1287.** Page 2000, line 17: delete lines 17 to 20.

6 **1288.** Page 2000, line 21: delete the material beginning with that line and
7 ending with page 2001, line 3.

8 **1289.** Page 2001, line 3: after that line insert:

9 “(2hg) CLEAN WATER FUND HARDSHIP ASSISTANCE APPLICATION DEADLINE.

10 Notwithstanding the requirement in section 281.58 (13) (d) of the statutes that a
11 municipality, as defined in section 281.01 (6) of the statutes, submit a complete
12 application no later than June 30 of the preceding fiscal year in order to be ranked
13 on the clean water fund financial hardship assistance funding list for a fiscal year
14 and notwithstanding the requirement in section 281.58 (9) (a) of the statutes, as
15 affected by this act, that a municipality have an approved facility plan before
16 submitting an application for clean water fund assistance, the department of natural
17 resources shall rank a project of a town sanitary district that is eligible for clean
18 water fund financial hardship assistance under section 281.58 (13) (b) of the
19 statutes, as affected by this act, on the clean water fund financial hardship
20 assistance funding list for the 1997-98 fiscal year if all of the following apply:

21 (a) The town sanitary district submits a complete application no later than the
22 effective date of this paragraph.

23 (b) The project is for the construction of a new wastewater treatment plant.

24 (c) The town sanitary district is located on USH 45, north of STH 64.

1 (d) The town sanitary district had 197 connections on December 31, 1996, of
2 which 161 were residential connections.”

3 **1290.** Page 2002, line 10: after that line insert:

4 “(5) PERMIT GUARANTEE PROGRAM. The department of natural resources shall
5 submit proposed rules required under section 299.05 of the statutes, as created by
6 this act, to the legislative council staff for review under section 227.15 (1) of the
7 statutes no later than the first day of the 13th month beginning after the effective
8 date of this subsection.”

9 **1291.** Page 2003, line 6: after that line insert:

10 “(7gm) HYDROGEOLOGIST POSITION AUTHORIZATION. The authorized FTE
11 positions for the department of natural resources are increased by 6.0 PR
12 hydrogeologist positions, to be funded from the appropriation under section 20.370
13 (2) (dh) of the statutes, as affected by this act, for the purpose of performing services
14 related to remedying environmental contamination.”

15 **1292.** Page 2004, line 12: delete the material beginning with that line and
16 ending with page 2005, line 2.

17 **1293.** Page 2005, line 11: after that line insert:

18 “(8m) CLEAN WATER FUND HARDSHIP ASSISTANCE FOR THE VILLAGE OF WHEELER.

19 (a) Notwithstanding section 281.58 (13) (c) of the statutes, during fiscal year
20 1997-98, the department of natural resources shall provide a clean water fund
21 financial hardship assistance grant of \$213,000, rather than a loan, for a project in
22 the village of Wheeler in Dunn County.

1 (b) The limits under section 281.59 (3e) (b) and (e) of the statutes, as affected
2 by this act, may be exceeded by the amount necessary to fund the grant under
3 paragraph (a).”.

4 **1294.** Page 2005, line 11: after that line insert:

5 “(8c) ALLOCATION OF CLEAN WATER FUND HARDSHIP ASSISTANCE.

6 (a) Notwithstanding section 281.59 (3e) (d) and (e) of the statutes, as affected
7 by this act, in the 1997-99 fiscal biennium the department of natural resources may
8 allocate for clean water fund financial hardship assistance an amount up to
9 \$20,160,000 from the amount under section 281.59 (3e) (b) 1. of the statutes, as
10 affected by this act, and the department of natural resources and the department of
11 administration may allocate for clean water fund financial assistance other than
12 financial hardship assistance an amount up to \$70,040,000 from the amount under
13 section 281.59 (3e) (b) 1. of the statutes, as affected by this act.

14 (b) From the amount that the department of natural resources is authorized
15 to allocate under paragraph (a) for clean water fund financial hardship assistance,
16 the department shall allocate an amount in fiscal year 1997-98 that is sufficient to
17 fund the Pell Lake Sanitary District and Lake Como Beach Sanitary District projects
18 in Walworth County.”.

19 **1295.** Page 2008, line 1: substitute “(1) (a) and (2) (b)” for “(1) and (3)”.

20 **1296.** Page 2008, line 12: substitute “(1) (a) and (2) (b)” for “(1) and (3)”.

21 **1297.** Page 2008, line 14: delete lines 14 to 21.

22 **1298.** Page 2009, line 21: after that line insert:

23 “(12p) AID TO WISCONSIN LAKE SCHOONER EDUCATION ASSOCIATION. From the
24 appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act, the

1 department of natural resources shall provide financial assistance in an amount not
2 to exceed \$200,000 to the Wisconsin Lake Schooner Education Association for the
3 construction of a tall sailing ship to represent this state as a part of the
4 sesquicentennial of Wisconsin statehood in 1998. The department shall provide the
5 assistance authorized under this subsection upon written agreement with the
6 Wisconsin Lake Schooner Education Association to use the assistance for the
7 purpose specified in this subsection. The agreement shall permit the Wisconsin Lake
8 Schooner Education Association to be reimbursed for expenses incurred prior to the
9 effective date of this subsection. This subsection does not apply after June 30, 1999.”.

10 **1299.** Page 2012, line 15: delete “education” and substitute “instruction”.

11 **1300.** Page 2013, line 12: after that line insert:

12 “(5r) EXPENDITURE OF FUNDS BY THE STANDARDS DEVELOPMENT COUNCIL. The
13 department of public instruction shall provide to the standards development council,
14 at its request, in the 1997-99 fiscal biennium up to \$49,000 from the appropriation
15 under section 20.255 (1) (dw) of the statutes to review and modify proposed standards
16 under section 14.23 of the statutes, as created by this act.”.

17 **1301.** Page 2013, line 12: after that line insert:

18 “(6m) ADDITIONAL AID FOR COUNTY HANDICAPPED CHILDREN’S EDUCATION BOARDS.
19 From the appropriation under section 20.255 (2) (bi) of the statutes, as created by this
20 act, the department of public instruction, in the 1997-98 fiscal year, shall pay to each
21 county handicapped children’s education board whose aid under section 121.135 of
22 the statutes in the 1996-97 school year was less than its aid under section 121.135
23 of the statutes in the 1995-96 school year the amount by which its aid under section
24 121.135 of the statutes in the 1996-97 school year was less than its aid under section

1 121.135 of the statutes in the 1995-96 school year. If the appropriation under section
2 20.255 (2) (bi) of the statutes, as created by this act, is insufficient to pay the full
3 amount of aid under this subsection, the moneys shall be prorated among the entitled
4 county handicapped children's education boards.”.

5 **1302.** Page 2013, line 12: after that line insert:

6 “(7s) REPORT ON DEBT SERVICE. Within 30 days after the effective date of this
7 subsection, each school board shall submit to the department of public instruction
8 a schedule of its debt service payments. Within 30 days after the effective date of this
9 subsection, the common council of a 1st class city shall submit to the department of
10 public instruction a schedule of its debt service payments on debt issued on behalf
11 of the school district operating under chapter 119 of the statutes.”.

12 **1303.** Page 2013, line 12: after that line insert:

13 “(5q) REPORT CONCERNING CHARTER SCHOOLS ESTABLISHED BY COOPERATIVE
14 EDUCATIONAL SERVICE AGENCY NO. 6. By August 1, 2002, the board of control of
15 cooperative educational service agency no. 6 shall prepare a report describing the
16 progress of charter schools that it establishes under section 118.40 of the statutes
17 and submit the report to the state superintendent of public instruction and the
18 governor and to the chief clerk of each house of the legislature for distribution to the
19 legislature in the manner provided under section 13.172 (2) of the statutes.”.

20 **1304.** Page 2013, line 12: after that line insert:

21 “(6sr) YOUTH OPTIONS PROGRAM.

22 (a) Using the procedure under section 227.24 of the statutes, the department
23 of public instruction shall promulgate the rules required under section 118.55 (7r)
24 (dg) 3. of the statutes, as created by this act, for the period before the effective date

1 of the permanent rules promulgated under that section, but not to exceed the period
2 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding
3 section 227.24 (1) and (3) of the statutes, the department is not required to make a
4 finding of emergency.

5 (b) Notwithstanding section 118.37 (5) (b), 1995 stats., and SECTION 9340 (5x)
6 of this act, the rules promulgated under section 118.55 (7r) (dg) 3. of the statutes, as
7 created by this act, apply to pupils attending a technical college under section 118.37,
8 1995 stats., in the 1998 spring semester.”.

9 **1305.** Page 2015, line 25: delete the material beginning with that line and
10 ending with page 2016, line 9.

11 **1306.** Page 2016, line 14: after that line insert:

12 “(2mf) TAX AMNESTY. The department of revenue shall submit a proposal for a
13 tax amnesty program to be conducted during the 1997-98 fiscal year to the joint
14 committee on finance at the committee’s 3rd quarterly meeting in 1997 under section
15 13.10 of the statutes. This proposed tax amnesty program shall be materially similar
16 to the tax amnesty program conducted in 1985. The joint committee on finance may
17 modify the department’s proposal to ensure that it is materially similar to the tax
18 amnesty program conducted in 1985.”.

19 **1307.** Page 2016, line 17: after that line insert:

20 “(2r) ALTERNATE FUELS TAX RATES. Notwithstanding section 78.405 of the
21 statutes, as affected by this act, the department of revenue shall calculate the rates
22 for the alternate fuel tax on September 1, 1997, or on the day after publication,
23 whichever is later, and those rates are effective from September 1, 1997, or the day
24 after publication, whichever is later, until April 1, 1998.”.

1 **1308.** Page 2018, line 17: delete lines 17 to 21.

2 **1309.** Page 2018, line 21: after that line insert:

3 “(2x) GRANTS TO TEN CHIMNEY FOUNDATION, INC. From the appropriation under
4 section 20.380 (1) (b) of the statutes, as affected by this act, the department of tourism
5 shall make a grant not exceeding \$50,000 to the Ten Chimney Foundation, Inc., to
6 develop and facilitate a private fund-raising effort by the foundation if the
7 foundation makes a matching fund contribution that is equal to the amount of the
8 grant made under this subsection.”.

9 **1310.** Page 2019, line 7: after that line insert:

10 “(1gm) IGNITION INTERLOCK DEVICE PROGRAM. On the effective date of this
11 subsection, the authorized FTE positions for the department of transportation are
12 increased by 1.5 SEG positions, to be funded from the appropriation under section
13 20.395 (5) (er) of the statutes, as created by this act, for the purpose of developing and
14 administering the ignition interlock device program under section 110.10 of the
15 statutes, as created by this act.”.

16 **1311.** Page 2019, line 7: after that line insert:

17 “(1h) STUDY OF TRANSPORTATION PROJECTS COMMISSION. The legislative council
18 shall conduct a study of the transportation projects commission and the process of
19 enumerating major highway projects under section 84.013 (3) of the statutes and
20 shall report its findings, conclusions and recommendations, including
21 recommendations regarding improving the process of enumerating major highway
22 projects, to the legislature by May 1, 1999.”.

23 **1312.** Page 2019, line 7: after that line insert:

1 “(1c) SUPPLEMENTAL TITLE FEE MATCHING. Notwithstanding section 85.037 of the
2 statutes, the secretary of transportation shall certify to the secretary of
3 administration the amount of fees collected under section 342.14 (3m) of the statutes
4 during fiscal year 1996–97 no later than October 1, 1997, or the 15th day after the
5 effective date of this subsection, whichever is later.”.

6 **1313.** Page 2019, line 7: after that line insert:

7 “(1gs) MARQUETTE INTERCHANGE DESIGN. Of the amounts appropriated to the
8 department of transportation under section 20.395 (3) (cq) of the statutes, as affected
9 by this act, the department shall allocate \$4,000,000 in fiscal year 1997–98 and
10 \$6,500,000 in fiscal year 1998–99 to design the reconstruction of the I 794—I 43/90
11 interchange, known as the “Marquette Interchange”, in the city of Milwaukee. The
12 design shall include means to increase the level of service of the interchange. The
13 department of transportation shall coordinate its design for the interchange with the
14 city of Milwaukee’s design for the 6th Street viaduct project near the interchange.”.

15 **1314.** Page 2019, line 8: delete lines 8 to 16.

16 **1315.** Page 2020, line 5: after that line insert:

17 “(1p) AGENCY REQUEST. Notwithstanding section 16.42 (1) (e) of the statutes, in
18 submitting information under section 16.42 of the statutes for purposes of the
19 1997–99 biennial budget bill, the department of transportation shall submit
20 information concerning the appropriations under section 20.395 (3) (bq), (bv) and
21 (bx) of the statutes, as affected by this act, and section 20.395 (3) (br) of the statutes
22 that includes any amounts appropriated under those appropriations for fiscal year
23 1998–99 for any major highway project involving STH 29.”.

24 **1316.** Page 2020, line 6: delete lines 6 to 11.

1 **1317.** Page 2020, line 19: after that line insert:

2 “(1rmg) STH 26 WAYSIDE NEAR CLYMAN. The department of transportation shall
3 close the wayside, as defined in section 84.04 (1) (e) of the statutes, along STH 26 near
4 Clyman, approximately 5 miles north of Watertown, in Dodge County. The
5 department of transportation shall sell the real property that is no longer needed for
6 that wayside in the manner provided under section 84.09 (5) of the statutes.”.

7 **1318.** Page 2021, line 6: delete lines 6 to 16.

8 **1319.** Page 2021, line 20: after that line insert:

9 “(2mm) MOBILE TESTING OF MOTOR VEHICLE EMISSIONS. The secretary of
10 transportation shall submit in proposed form the rules required under section 110.20
11 (9) (k) of the statutes, as created by this act, to the legislative council staff under
12 section 227.15 (1) of the statutes no later than the first day of the 10th month
13 beginning after the effective date of this subsection.”.

14 **1320.** Page 2021, line 20: after that line insert:

15 “(2mh) STUDY OF HIGHWAY BYPASSES. The department of transportation shall
16 conduct a study on the effects of planning, constructing and operating highway
17 bypasses on land development patterns and on the economies of local communities
18 that are bypassed. The study shall consider alternative means of assisting
19 businesses from the bypassed communities to acquire land adjacent to newly
20 constructed bypasses for the purpose of business relocation. The secretary of
21 transportation shall report the findings, conclusions and recommendations of the
22 study, including recommendations for assisting local businesses to relocate
23 alongside newly constructed bypasses, to the legislature by June 1, 1999.”.

24 **1321.** Page 2022, line 2: after that line insert:

1 “(3bg) REGISTRATION OF LEASED VEHICLES. Notwithstanding chapter 341 of the
2 statutes, as affected by this act, the department of transportation may, for one year
3 after the effective date of this subsection, issue an original registration of a vehicle
4 under applicable provisions of chapter 341 of the statutes that are in effect on the day
5 before the effective date of this subsection.”.

6 **1322.** Page 2022, line 3: delete lines 3 to 6.

7 **1323.** Page 2022, line 15: after that line insert:

8 “(3gh) VEHICLE REGISTRATION FEES STUDY. The department of transportation
9 shall conduct a study of the feasibility and desirability of establishing vehicle
10 registration fees to be based on the value of the vehicle or the horsepower motor of
11 the vehicle in lieu of the current vehicle registration fees specified in chapter 341 of
12 the statutes, as affected by this act. The department shall submit a report containing
13 its findings, conclusions and recommendations, including any recommended
14 statutory changes, no later than August 1, 1998, to the appropriate standing
15 committees of the legislature in the manner provided under section 13.172 (3) of the
16 statutes.”.

17 **1324.** Page 2022, line 19: after that line insert:

18 “(4h) AGENCY REQUEST. Notwithstanding section 16.42 (1) (e) of the statutes, in
19 submitting information under section 16.42 of the statutes for purposes of the
20 1999-2001 biennial budget bill, the department of transportation shall include
21 information concerning the appropriation under section 20.395 (3) (bq) of the
22 statutes, as affected by this act, that increases the amount of that appropriation, and
23 the appropriation under section 20.395 (3) (br) of the statutes that decreases the
24 amount of that appropriation, by an amount equal to the expected savings to be

1 realized in the 1999–2001 fiscal biennium by the treatment of section 86.303 (6) (e)
2 of the statutes by this act.”.

3 **1325.** Page 2022, line 20: delete lines 20 to 25.

4 **1326.** Page 2023, line 1: delete lines 1 to 25.

5 **1327.** Page 2024, line 1: delete lines 1 to 25.

6 **1328.** Page 2025, line 1: delete lines 1 to 6.

7 **1329.** Page 2027, line 23: delete lines 23 to 25.

8 **1330.** Page 2028, line 1: delete lines 1 to 12.

9 **1331.** Page 2028, line 17: delete the material beginning with “as equally” and
10 ending with “Extension” on line 18.

11 **1332.** Page 2029, line 20: after that line insert:

12 “(4g) STUDY OF FACULTY SALARIES. The Robert M. La Follette Institute of Public
13 Affairs at the University of Wisconsin–Madison shall study the method that the
14 board of regents of the University of Wisconsin System uses to compare the salaries
15 of faculty at the University of Wisconsin System to the salaries of faculty at other
16 institutions of higher education in this country. In particular, the Institute shall
17 review the institutions selected as peer institutions for the purpose of such
18 comparisons. In conducting the study, the Institute shall take into account
19 differences in fringe benefits provided by different institutions and the cost of living
20 applicable to faculty at different institutions. The Institute shall report the results
21 of its study to the joint committee on finance by December 1, 1998.”.

22 **1333.** Page 2029, line 20: after that line insert:

23 “(3g) TRANSFER OF RECYCLING MARKET DEVELOPMENT BOARD INCUMBENTS.

1 (a) On the effective date of this subsection, 4 incumbent employes holding
2 positions in the University of Wisconsin System performing duties primarily related
3 to the functions of the recycling market development board, as determined by the
4 secretary of administration, are transferred to the department of commerce to hold
5 4 SEG project positions in the department of commerce, for the period ending on June
6 30, 2001, to perform duties primarily related to the functions of the recycling market
7 development board.

8 (b) Employes transferred under paragraph (a) may transfer with them to the
9 project positions rights and benefits previously earned, as provided in section 230.27
10 (2m) (b) of the statutes.”.

11 **1334.** Page 2029, line 20: after that line insert:

12 “(4h) DISTINGUISHED CHAIR OF MILITARY HISTORY. Of the amount appropriated
13 under section 20.285 (1) (a) of the statutes in the 1998–99 fiscal year, the board of
14 regents of the University of Wisconsin System may expend up to \$250,000 to
15 establish a distinguished chair of military history at the University of
16 Wisconsin–Madison under section 36.25 (42) of the statutes, as created by this act,
17 if the board receives at least \$750,000 in private contributions for the same
18 purpose.”.

19 **1335.** Page 2030, line 22: after that line insert:

20 “(3tg) NURSING POSITIONS AT THE WISCONSIN VETERANS HOME AT KING. Of the
21 15.0 FTE PR nursing positions for the department of veterans affairs that are
22 created by this act at the Wisconsin Veterans Home at King and funded from the
23 appropriation under section 20.485 (1) (gk) of the statutes, the department of

1 veterans affairs may designate 1.0 position as a nurse practitioner and 1.0 position
2 as a nurse supervisor.”.

3 **1336.** Page 2033, line 8: after that line insert:

4 “(1g) TUITION GRANTS; TRIBALLY CONTROLLED COLLEGES. (a) Each tribally
5 controlled college in this state is requested to develop and, not later than 30 days
6 after the effective date of this paragraph, submit to the higher educational aids board
7 for its review under paragraph (b) a proposed formula for the awarding of grants
8 under section 39.30 of the statutes, as affected by this act, for the 1997-98 academic
9 year to students enrolled at that tribally controlled college.

10 (b) Not later than 21 days following submission of a proposed formula under
11 paragraph (a), the higher educational aids board shall approve, modify or
12 disapprove the proposed formula for the awarding of grants under section 39.30 of
13 the statutes, as affected by this act. No grants may be awarded under section 39.30
14 of the statutes, as affected by this act, for the 1997-98 academic year to students
15 enrolled at the applicable tribally controlled college unless the applicable formula
16 submitted under paragraph (a) is approved or modified by the higher educational
17 aids board under this paragraph.

18 (c) Section 39.30 (2) (f) of the statutes, as affected by this act, does not apply to
19 grant awards subject to this subsection.”.

20 **1337.** Page 2035, line 11: after that line insert:

21 “(2n) SHARED REVENUE TASK FORCE. There is created a shared revenue task
22 force, which shall consist of 4 members appointed by the governor, 2 members
23 appointed by the speaker of the assembly, one member appointed by the assembly
24 minority leader, 2 members appointed by the senate majority leader, one member

1 appointed by the senate minority leader and the secretary of revenue or the
2 secretary's designee. The secretary of revenue or the secretary's designee is the
3 chairperson. The task force shall recommend legislation that will replace the
4 formulas for the shared revenue program, the expenditure restraint program and
5 the small municipalities shared revenue program and that will have an effective date
6 of July 1, 1999. The task force shall submit that proposed legislation to the
7 legislature in the manner provided under section 13.172 (2) of the statutes on or
8 before January 1, 1999.”.

9 **1338.** Page 2035, line 11: after that line insert:

10 “(2m) RETIREMENT HOME EXEMPTION STUDY. There is created a benevolent
11 retirement home for the aged task force, which shall consist of 4 members appointed
12 by the governor, 2 members appointed by the speaker of the assembly, one member
13 appointed by the assembly minority leader, 2 members appointed by the senate
14 majority leader and one member appointed by the senate minority leader. The task
15 force shall investigate the property tax exemption for benevolent retirement homes
16 and all problems that are associated with it. The task force shall submit its report
17 and proposed legislation to the legislature in the manner provided under section
18 13.172 (2) of the statutes on or before June 30, 1999, on which date the task force is
19 dissolved.”.

20 **1339.** Page 2035, line 12: delete the material beginning with that line and
21 ending with page 2036, line 2.

22 **1340.** Page 2036, line 2: after that line insert:

23 “(4m) COMMISSION ON PUBLIC BROADCASTING.

1 (a) In this subsection, "commission" means the commission on public
2 broadcasting created under paragraph (b).

3 (b) There is created a special committee to be called the commission on public
4 broadcasting consisting of the following:

5 1. The secretary of administration or his or her designee.

6 2. The state superintendent of public instruction or his or her designee.

7 3. The director of the technical college system or his or her designee.

8 4. One representative, or his or her designee, of each of the following,
9 appointed within 30 days after the effective date of this subdivision:

10 a. Wisconsin Public Radio, appointed by the educational communications
11 board.

12 b. Wisconsin Public Television, appointed by the educational communications
13 board.

14 c. University of Wisconsin System, appointed by the board of regents of the
15 University of Wisconsin System.

16 d. WMVS-TV and WMVT-TV, appointed by the district board governing the
17 Milwaukee area technical college.

18 5. One representative of each of the following, appointed by the members
19 specified under subdivision 4. within 45 days after the effective date of this
20 subdivision:

21 a. The public broadcasting audience.

22 b. The commercial broadcasting industry.

23 c. The public school system.

1 (c) The educational communications board and the district board governing
2 the Milwaukee area technical college shall provide staff and other support required
3 for the operation of the commission.

4 (d) The commission shall study the future of public broadcasting in this state
5 for the purpose of making recommendations that, if implemented, will be likely to
6 ensure that public broadcasting continues its tradition of distinguished service to
7 this state, utilizes new technologies and functions in the most efficient and
8 cost-effective manner. The study shall include an examination of all of the following:

9 1. Future funding issues.

10 2. Technological advances and their implication for public broadcasting.

11 3. The relationship between public broadcasting and distance education, as
12 defined in section 24.60 (1g) of the statutes, as affected by this act.

13 4. The development of new partnerships with the private sector and with other
14 public sector interests.

15 5. Alternative organizational or governance structures, including a single
16 public or private organization that is not a current licensee of a radio or television
17 broadcasting station.

18 (e) The commission shall submit a report of its findings, conclusions and
19 recommendations no later than June 30, 1998, to the governor, and to the legislature
20 for distribution to the appropriate standing committees in the manner provided
21 under section 13.172 (3) of the statutes. Upon submittal of its report, the commission
22 shall cease to exist.”.

23 **1341.** Page 2036, line 3: substitute “PERFORMANCE-BASED” for “PERFORMANCE
24 BASED”.

1 **1342.** Page 2036, line 4: after “the” insert “technology for educational
2 achievement in Wisconsin board and the”.

3 **1343.** Page 2037, line 7: after that line insert:

4 “(6m) EFFICIENCY MEASURES.

5 (a) No later than October 1, 1997, the following agencies shall submit a report
6 to the governor and the joint committee on finance recommending how appropriation
7 reductions, resulting from budgetary efficiency measures, should be allocated among
8 sum certain appropriations made to the agency from general purpose revenue
9 totaling the following amounts in each fiscal year indicated:

State Agency	Amount of Reduction	
	1997-98 Fiscal Year	1998-99 Fiscal Year
Administration, department of	\$ 211,000	\$ 211,000
Agriculture, trade and consumer protection, department of	171,300	171,300
Commerce, department of	35,900	35,900
Health and family services, department of	2,101,000	2,083,500
Justice, department of	552,500	552,500
Military affairs, department of	108,400	108,400
Natural resources, department of	150,400	150,400
Revenue, department of	179,800	179,800
Tourism, department of	67,300	67,300
Workforce development, department of	765,300	765,300

1 (b) If the cochairpersons of the joint committee on finance do not notify the
2 state agency submitting a report under paragraph (a) that the committee has
3 scheduled a meeting for the purpose of reviewing the report within 14 working days
4 after the date of the report’s submittal, the recommendation in the report may be
5 implemented as proposed by the state agency submitting the report. If, within 14
6 working days after the date of the submittal of a report under paragraph (a), the
7 cochairpersons of the committee notify the state agency submitting the report that
8 the committee has scheduled a meeting for the purpose of reviewing the report, the
9 recommendation in the report may be implemented only upon approval of the
10 committee.”.

11 **1344.** Page 2039, line 23: after that line insert:

12 “(1n) TRIBAL KINSHIP CARE. Notwithstanding section 20.002 (3m) of the
13 statutes, the unencumbered balances in the appropriation accounts under section
14 20.445 (3) (d) and (p), 1995 stats., that are allocated for distribution to federally
15 recognized American Indian tribes or bands immediately before the effective date of
16 this subsection are transferred to the appropriation account under section 20.435 (3)
17 (ke) of the statutes, as created by this act. From the appropriations under section
18 20.435 (3) (cz), (kc) and (ke) of the statutes, as created by this act, the department
19 of health and family services shall reimburse those tribes or bands for payments
20 made under section 48.57 (3m) (am) (intro.) of the statutes, as affected by this act.”.

21 **1345.** Page 2040, line 6: after that line insert:

22 “(2q) VEHICLE, EQUIPMENT AND INFORMATION TECHNOLOGY REVENUE LAPSE.
23 Notwithstanding section 20.001(3) (c) of the statutes, there is lapsed to the
24 conservation fund from the appropriation account of the department of natural

1 resources under section 20.370 (8) (mt) of the statutes, as affected by this act,
2 \$520,000 on the effective date of this subsection and \$520,000 on July 1, 1998.”.

3 **1346.** Page 2041, line 17: after that line insert:

4 “(2p) AUTO POOL VEHICLE REVENUE LAPSE. Notwithstanding section 20.001 (3) (c)
5 of the statutes, there is lapsed to the transportation fund from the appropriation
6 account of the department of transportation under section 20.395 (4) (er) of the
7 statutes \$490,000 on the effective date of this subsection and \$500,000 on July 1,
8 1998.”.

9 **1347.** Page 2042, line 9: after that line insert:

10 **“SECTION 9301. Initial applicability; administration.**

11 (1m) COUNTRY OF ORIGIN FOR STATE MOTOR VEHICLES. The treatment of section
12 16.72 (2) (cm) of the statutes first applies to motor vehicles purchased on the effective
13 date of this subsection.”.

14 **1348.** Page 2042, line 21: delete lines 21 to 24.

15 **1349.** Page 2043, line 1: delete lines 1 and 2.

16 **1350.** Page 2043, line 6: after that line insert:

17 “(2w) GUARDIAN AD LITEM STATEMENT. The treatment of section 757.48 (1) (b) of
18 the statutes first applies to guardians ad litem appointed on the effective date of this
19 subsection.”.

20 **1351.** Page 2044, line 1: delete lines 1 to 5.

21 **1352.** Page 2045, line 5: delete lines 5 to 9.

22 **1353.** Page 2045, line 14: after that line insert:

1 **“SECTION 9317. Initial applicability; employment relations**
2 **department.**

3 (3g) VETERAN’S PREFERENCE POINTS ON CIVIL SERVICE EXAMINATIONS.

4 (a) The treatment of sections 230.03 (9m) and (14) (d) and 230.16 (7) (a) 2., 3.
5 and 4. of the statutes first applies to examinations for, and promotions to, positions
6 in the classified service of the state on the effective date of this subsection.

7 (b) The treatment of section 230.25 (1g) of the statutes first applies to lists of
8 names certified by the administrator of the division of merit recruitment and
9 selection in the department of employment relations on the effective date of this
10 subsection.”.

11 **1354.** Page 2045, line 14: after that line insert:

12 “(3h) SCHOOL DISTRICTS; PERMISSIVE SUBJECTS OF BARGAINING. The treatment of
13 section 111.70 (1) (a) and (4) (o) of the statutes first applies to a collective bargaining
14 agreement that expires or is extended, modified or renewed, whichever occurs first,
15 on the effective date of this subsection.”.

16 **1355.** Page 2045, line 14: after that line insert:

17 “(3f) BINDING ARBITRATION; 1ST CLASS CITIES. The treatment of section 111.70 (4)
18 (jm) 5. of the statutes first applies to petitions for arbitration filed under section
19 111.70 (4) (jm) 1. of the statutes on the effective date of this subsection.”.

20 **1356.** Page 2045, line 14: after that line insert:

21 “(3i) CONTRACTS WITH PRIVATE SCHOOLS AND AGENCIES. The treatment of section
22 111.70 (4) (m) 4. of the statutes first applies to employes who are affected by a
23 collective bargaining agreement that contains provisions inconsistent with that

1 treatment on the day on which the collective bargaining agreement expires or is
2 extended, modified or renewed, whichever occurs first.”.

3 **1357.** Page 2045, line 14: after that line insert:

4 “(3j) OPERATION AND MANAGEMENT OF A MEDIUM SECURITY CORRECTIONAL
5 INSTITUTION. The treatment of section 111.91 (2) (o) of the statutes first applies to
6 employes who are affected by a collective bargaining agreement that contains
7 provisions inconsistent with that treatment on the day on which the collective
8 bargaining agreement expires or is extended, modified or renewed, whichever occurs
9 first.”.

10 **1358.** Page 2045, line 15: delete lines 15 to 18.

11 **1359.** Page 2047, line 13: after that line insert:

12 “(12g) MENTAL HEALTH TREATMENT OF MINORS. The treatment of sections 51.13
13 (1) (a), (b), (d) and (e), (2) (a), (b) and (d), (3) (b), (c) and (e), (4) (a) (intro.), (c), (d) and
14 (g) (intro.) and 1., (6) (a) and (7) (title), (a), (b) and (c), 51.14 (3) (a), (b) 3. and 4., (g)
15 and (h) (intro.) and (4) (a), (b), (c) and (g) (intro.), 51.20 (16) (a), 51.22 (2), 51.30 (5)
16 (a) and (b) 1. and 2., 51.35 (3) (a), (b) and (g) and 51.61 (6) of the statutes first applies
17 to individuals who are receiving inpatient or outpatient mental health treatment on
18 the effective date of this subsection regardless of whether admission to an inpatient
19 facility or an outpatient program occurred or was sought prior to the effective date
20 of this subsection.”.

21 **1360.** Page 2048, line 23: delete the material beginning with that line and
22 ending with page 2050, line 12, and substitute:

23 “(3rcg) INSURANCE COVERAGE OF TREATMENT FOR TEMPOROMANDIBULAR DISORDERS
24 AS WELL AS HOSPITAL CHARGES AND ANESTHETICS FOR DENTAL CARE AND BREAST

1 RECONSTRUCTION. The treatment of sections 40.51 (8) (by SECTION 1324m) and (8m)
2 by SECTION 1325m), 60.23 (25) (by SECTION 2178p), 66.184 (by SECTION 2210m), 111.91
3 (2) (n), 120.13 (2) (g) (by SECTION 2860f), 185.981 (4t) (by SECTION 3133m) (with
4 respect to requiring insurance coverage of treatment for temporomandibular
5 disorders, as well as coverage of hospital charges and anesthetics for dental care and
6 coverage of breast reconstruction), 185.983 (1) (intro.) (by SECTION 3134m) (with
7 respect to requiring insurance coverage of treatment for temporomandibular
8 disorders, as well as coverage of hospital charges and anesthetics for dental care and
9 coverage of breast reconstruction), 609.77, 609.78, 609.79 and 632.895 (11), (12) and
10 (13) of the statutes first applies to all of the following:”.

11 **1361.** Page 2052, line 15: after that line insert:

12 “(8g) LAND ACQUISITION WITH STEWARDSHIP FUNDING. The treatment of section
13 23.0915 (1m) (c) of the statutes first applies to moneys encumbered from the
14 appropriation under section 20.866 (2) (tz) of the statutes on the effective date of this
15 subsection.”.

16 **1362.** Page 2052, line 16: after that line insert:

17 “(1m) LIMIT ON AIDABLE DEBT SERVICE. The treatment of section 121.07 (6) (a)
18 (intro.) and 3. of the statutes first applies to the payment of state aid in the 1998–99
19 school year.”.

20 **1363.** Page 2053, line 4: delete “and the repeal of section 118.37 (1) (title) of
21 the statutes”.

22 **1364.** Page 2053, line 5: delete “apply” and substitute “applies”.

23 **1365.** Page 2053, line 6: after that line insert:

1 “(6t) SCHOOL DISTRICT REVENUE LIMITS AND CALCULATION OF SCHOOL AID. The
2 treatment of sections 121.15 (3m) (a) 1. and 121.91 (4) (a) 3. of the statutes first
3 applies to the calculation of school district revenue limits and school aid for the school
4 year beginning after the effective date of this subsection.”.

5 **1366.** Page 2053, line 6: after that line insert:

6 “(6h) COUNTING HOME-BASED AND PRIVATE SCHOOL PUPILS. The treatment of
7 sections 118.145, 119.04 (1) (with respect to section 118.145 (4) of the statutes),
8 121.004 (7) (e) and 121.05 (1) (a) 12. of the statutes first applies to state aid paid in
9 the 1998–99 fiscal year.”.

10 **1367.** Page 2054, line 4: delete that line and substitute “of sections 71.05 (6)
11 (b) 25. and 71.83 (1) (d) of the statutes first applies to taxable years beginning on”.

12 **1368.** Page 2054, line 5: delete “1999” and substitute “1998”.

13 **1369.** Page 2054, line 12: substitute “statutes” for “statues”.

14 **1370.** Page 2054, line 13: after that line insert:

15 “(1vx) IMMUNITY FOR RETAINING PROOFS OF AGE. The treatment of section 125.039
16 of the statutes first applies to retentions of documents occurring on the effective date
17 of this subsection.”.

18 **1371.** Page 2054, line 19: after that line insert:

19 “(3m) EXCESS DISTRIBUTIONS FROM PASSIVE FOREIGN INVESTMENT COMPANIES. The
20 treatment of section 71.05 (6) (a) 20. of the statutes first applies to taxable years
21 beginning on January 1, 1997.”.

22 **1372.** Page 2055, line 6: after that line insert:

1 “(7m) FARM LOSS LIMITS. The treatment of section 71.05 (6) (a) 10. of the statutes
2 first applies to taxable years beginning on January 1, 1999.”.

3 **1373.** Page 2055, line 7: delete lines 7 and 8.

4 **1374.** Page 2056, line 16: delete “(e) and”.

5 **1375.** Page 2056, line 17: after “fuel)” insert “and (j)”.

6 **1376.** Page 2056, line 19: after that line insert:

7 “(10c) INCOME TAX REFUNDS. The treatment of section 71.75 (5) of the statutes
8 first applies to refunds for taxable years beginning on January 1, 2000.”.

9 **1377.** Page 2056, line 19: after that line insert:

10 “(10hd) THERMAL ENERGY FACILITIES.

11 (a) The treatment of section 76.28 (1) (d) and (e) 5. of the statutes first applies
12 to gross revenues generated in 1997.

13 (b) The treatment of sections 79.005 (3) and 79.04 (1) (a) and (2) (a) of the
14 statutes first applies to payments made in 1998.”.

15 **1378.** Page 2057, line 4: delete lines 4 to 6.

16 **1379.** Page 2057, line 9: after that line insert:

17 “(3g) LOCAL TRANSPORTATION AIDS. The treatment of section 86.303 (6) (e) of the
18 statutes first applies to multiyear average costs that are used to calculate local
19 transportation aid payments for calendar year 2000.”.

20 **1380.** Page 2057, line 13: before that line insert:

21 “(3mg) VEHICLE WEIGHT LIMITATIONS. The treatment of section 348.21 (2) (b) of
22 the statutes first applies to vehicles operated on the effective date of this
23 subsection.”.

1 **1381.** Page 2057, line 18: after that line insert:

2 “(4gq) IGNITION INTERLOCK DEVICE PROGRAM. The treatment of sections 340.01
3 (23v), 343.10 (2) (a) 1. and (e), (5) (a) 1., 3. and 4. and (7) (cm), 343.30 (1q) (b) 2., 3.
4 and 4., 343.305 (4) (b) and (c) and (10) (b) 2., 3. and 4., 343.38 (5), 343.39 (3), 343.44
5 (2g) (a), (b), (c), (d) and (e) and (2m) (a), (b) and (c), 347.413 (1) and (3) and 347.50 (1t)
6 of the statutes first applies to offenses committed on the effective date of this
7 subsection, but does not preclude the counting of other offenses as prior offenses for
8 purposes of administrative action by the department of transportation, sentencing
9 by a court or suspending or revoking a person’s operating privilege.”.

10 **1382.** Page 2057, line 19: delete lines 19 to 23 and substitute:

11 “(4mg) MASS TRANSIT OPERATING ASSISTANCE. The treatment of sections 20.395
12 (1) (hq), (hr) and (hs) and 85.20 (4m) (a) 6., 7. and 8. and (em) 1. (by SECTION 2481pm),
13 (4s) (by SECTION 2481ps) and (7) (a) (intro.) (by SECTION 2481pv) of the statutes first
14 applies to urban mass transit operating assistance payments for calendar year
15 1998.”.

16 **1383.** Page 2057, line 23: after that line insert:

17 “(5mdq) ABSOLUTE SOBRIETY. The treatment of section 346.63 (2m) of the
18 statutes first applies to offenses committed on the effective date of this subsection,
19 but does not preclude the counting of other violations as prior convictions,
20 suspensions or revocations for purposes of administrative action by the department
21 of transportation, sentencing by a court or revocation or suspension of operating
22 privileges.”.

23 **1384.** Page 2057, line 23: after that line insert:

1 “(5mg) TRAFFIC OFFENSES. The treatment of sections 27.014 (1), (1c) and (2) (c),
2 341.04 (1) (a) and (c), 342.30 (1) and (3) (a), 346.175 (1) (a), 346.195 (1), 346.205 (1),
3 346.457 (1), 346.465 (1), 346.485 (1), 346.505 (3) (a), 346.94 (13) and 346.945 (1) (a)
4 of the statutes, the renumbering of section 346.01 of the statutes and the creation of
5 section 346.01 (2) of the statutes first apply to offenses committed on the effective
6 date of this subsection, but does not preclude the counting of other offenses as prior
7 offenses for sentencing a person, suspending or revoking a person’s operating
8 privilege or determining eligibility for an occupational license or authorization to
9 operate certain motor vehicles.

10 (6mg) FINANCIAL RESPONSIBILITY, ACCIDENTS AND ACCIDENT REPORTS. The
11 treatment of sections 344.01 (2) (cm), 344.02 (1), 344.14 (2m) and 346.665 of the
12 statutes first applies to accidents occurring on the effective date of this subsection.

13 (7g) VEHICLE REMOVAL AND DISPOSAL. The treatment of sections 341.65 (1) (am),
14 342.30 (1), (1c), (3) (a) and (4) (a), 342.40 (1) and (1c), 349.13 (1), (1b) and (2) (intro.)
15 and 349.137 (1) (a) and (3) (c) 2. e., (f) and (h) of the statutes first applies to vehicles
16 removed, seized, impounded, towed, stored or immobilized or vehicle parts seized on
17 the effective date of this subsection.”.

18 **1385.** Page 2057, line 24: delete that line.

19 **1386.** Page 2058, line 1: delete lines 1 to 6.

20 **1387.** Page 2058, line 13: delete lines 13 to 20 and substitute:

21 “(9sm) TEMPORARY OPERATION PLATES. The treatment of sections 341.04 (1)
22 (intro.) and (a), 341.09 (2) (c) and (g), (2m) (b) and (c), (2r) and (9), 342.06 (1) (k) and
23 885.237 (title) of the statutes, the renumbering of section 885.237 of the statutes, the
24 renumbering and amendment of section 341.09 (1) and (2m) (a) of the statutes and

1 the creation of sections 341.09 (1) (b) and (c) and (2m) (a) 1. b. and 2. and 885.237 (2)
2 of the statutes first apply to transfers of interests in and the operation of motor
3 vehicles occurring on the effective date of this subsection.”.

4 **1388.** Page 2059, line 23: after that line insert:

5 “(2d) PENALTIES FOR HARASSMENT OF FIRE ANIMALS. The treatment of sections
6 951.01 (3f), 951.095 (title) and (1) (intro.) and 951.18 (2m) of the statutes applies to
7 offenses occurring on or after the effective date of this subsection.”.

8 **1389.** Page 2059, line 23: after that line insert:

9 “(3f) INDUCED ABORTION REPORTING. The treatment of section 69.186 (1) (hm) of
10 the statutes first applies to abortions performed on the effective date of this
11 subsection.”.

12 **1390.** Page 2059, line 23: after that line insert:

13 “(4g) FUNDING FOR PREGNANCY PROGRAMS, PROJECTS OR SERVICES. The treatment
14 of section 20.9275 (2) of the statutes first applies to funding provided on the effective
15 date of this subsection.”.

16 **1391.** Page 2059, line 23: after that line insert:

17 “(2m) PENALTIES FOR CRIMINAL SLANDER OF TITLE, SIMULATING LEGAL PROCESS AND
18 FALSELY ASSUMING TO ACT IN CERTAIN PUBLIC CAPACITIES. The treatment of sections
19 943.60 (1), 946.68 (1), (1g), (1r) (c) and (2) and 946.69 (2) (intro.) of the statutes first
20 applies to offenses occurring on the effective date of this subsection.

21 (2n) CIVIL ACTIONS FOR SLANDER OF TITLE; FAILURE TO TERMINATE A SECURITY
22 INTEREST. The treatment of sections 409.404 (1) (d) and 706.13 (1) of the statutes first
23 applies to acts or omissions occurring on the effective date of this subsection.”.

24 **1392.** Page 2059, line 23: after that line insert:

1 “(2c) ENVIRONMENTAL AUDITS. The treatment of sections 299.94 and 905.20 of
2 the statutes first applies to environmental audits completed on the effective date of
3 this subsection.”.

4 **1393.** Page 2060, line 7: after that line insert:

5 “(7g) MINNESOTA-WISCONSIN STUDENT RECIPROCITY AGREEMENT. The treatment
6 of section 39.47 (2) of the statutes first applies to reciprocal fees for the 1997–98
7 academic year.”.

8 **1394.** Page 2060, line 7: after that line insert:

9 “(8f) SCHEDULING OF REFERENDA BY LOCAL GOVERNMENTS. The treatment of
10 sections 7.03 (1) (bm), 7.15 (2) (d), 8.05 (3) (d) and (e), 8.06, 8.065, 9.20 (4), 15.615 (2),
11 24.66 (3) (b) and (4), 32.72 (1), 59.08 (7) (b), 60.62 (2), 60.74 (5) (b), 61.187 (1), 61.46
12 (1), 62.09 (1) (a), 64.03 (1), 64.39 (3), 66.01 (8), 66.059 (2m) (b), 66.061 (1) (c), 66.075
13 (5), 66.504 (2), 66.521 (10) (d), 66.77 (3) (a) 1., 66.94 (4), 67.05 (4), (5), (6a) (a) 2. a. and
14 (6m) (b), 67.10 (5) (b), 67.12 (12) (e) 5., 81.01 (3) (b), 86.21 (2) (a), 117.20, 119.48 (4)
15 (b) and (c), 119.49 (1) (b) and (2), 121.91 (3) (a), 197.04 (1) and (2), 197.10 (2) and
16 198.19 (1) of the statutes first applies with respect to referenda called on the effective
17 date of this subsection.”.

18 **1395.** Page 2060, line 8: delete lines 8 to 15.

19 **1396.** Page 2060, line 22: after that line insert:

20 “(9h) CHIROPRACTIC LIENS. The treatment of section 779.80 (title), (1), (1b), (2),
21 (3) (intro.), (a), (b) and (c), (4), (5) and (6) and subchapter IX (title) of chapter 779 of
22 the statutes first applies to services provided by a chiropractor on the effective date
23 of this subsection.”.

24 **1397.** Page 2060, line 22: after that line insert:

1 “(9i) FRIVOLOUS ACTIONS IN ADMINISTRATIVE PROCEEDINGS. The treatment of
2 section 227.487 of the statutes, as created by this act, first applies to any petition or
3 request specified in section 227.487 (1) (a) of the statutes, as created by this act, or
4 any application, pleading, motion, request or other action specified in section
5 227.487 (1) (b) of the statutes, as created by this act, that is filed, made, entered or
6 undertaken on the effective date of this subsection.”.

7 **1398.** Page 2061, line 12: after that line insert:

8 “(1m) AGRICULTURAL CHEMICAL CLEANUP COUNCIL. The treatment of sections
9 15.137 (4) and 94.73 (1) (d) and (10) of the statutes take effect on July 1, 1999.”.

10 **1399.** Page 2062, line 10: after that line insert:

11 “(2w) GUARDIAN AD LITEM STATEMENT. The treatment of section 757.48 (1) (b) of
12 the statutes and SECTION 9309 (2w) of this act take effect on the first day of the 4th
13 month beginning after publication.”.

14 **1400.** Page 2062, line 12: delete lines 12 to 15.

15 **1401.** Page 2063, line 7: delete lines 7 and 8.

16 **1402.** Page 2063, line 8: after that line insert:

17 “(5g) PRISON INDUSTRIES BOARD. The treatment of sections 15.07 (1) (b) 12.,
18 15.145 (2), 303.01 (1) (b), (2) (em) (by SECTION 3909d), (4) and (9), 303.015 (title), (1)
19 (intro.), (a), (b), (c), (d) and (e), (2) and (3) and 303.06 (4) (c) and (5) of the statutes
20 takes effect on July 1, 1998.”.

21 **1403.** Page 2064, line 9: delete “48.551 (2) (a),”.

22 **1404.** Page 2064, line 21: after “46.49 (1)” insert “, 48.551 (2) (a)”.

23 **1405.** Page 2065, line 5: after that line insert:

1 “(3v) COUNCIL ON AMERICAN INDIAN HEALTH. The treatment of sections 15.197
2 (22), 36.25 (35), 38.04 (25), 46.35 and 146.19 (3) of the statutes takes effect on
3 December 31, 1997.”.

4 **1406.** Page 2065, line 5: after that line insert:

5 “(4g) COUNCIL ON FOOD PROTECTION PRACTICES. The treatment of sections 15.197
6 (21) and 254.71 (4), (5) and (6) (intro.) of the statutes takes effect on July 1, 1999.”.

7 **1407.** Page 2065, line 8: delete lines 8 to 10.

8 **1408.** Page 2065, line 12: after that line insert:

9 “(10q) BOARD ON HUNGER. The treatment of sections 15.195 (3), 46.76 (intro.)
10 and 46.765 (3) (intro.) of the statutes, the repeal and recreation of sections 46.76 (2)
11 and (5) and 46.765 (2) (intro.) of the statutes and SECTION 9123 (12p) of this act take
12 effect on July 1, 1998, or on the day after publication, whichever is later.”.

13 **1409.** Page 2065, line 12: after that line insert:

14 **“SECTION 9424. Effective dates; historical society.**

15 “(1t) SUBMERGED CULTURAL RESOURCES COUNCIL. The treatment of sections 15.707
16 (2) and 44.47 (1) (bm) and (5m) (f) of the statutes takes effect on July 1, 1998.”.

17 **1410.** Page 2065, line 12: after that line insert:

18 “(10r) TRIBAL KINSHIP CARE. The repeal of section 20.435 (3) (ke) of the statutes
19 takes effect on July 1, 1998.”.

20 **1411.** Page 2065, line 12: after that line insert:

21 **“SECTION 9424. Effective dates; historical society.**

22 “(1x) NONRESIDENT FEES. The treatment of sections 27.01 (2) (d), 44.02 (5), 44.12
23 (3) and 44.13 (3) of the statutes, the renumbering and amendment of section 44.02

1 (5g) of the statutes and the creation of section 44.02 (5g) (b) of the statutes take effect
2 on January 1, 1998.”.

3 **1412.** Page 2066, line 23: delete lines 23 to 25.

4 **1413.** Page 2067, line 5: after “statutes” insert “, the amendment of section
5 49.143 (2) (ep) 2. of the statutes”.

6 **1414.** Page 2067, line 7: delete “October 1, 1998” and substitute “February
7 1, 1999”.

8 **1415.** Page 2067, line 10: after that line insert:
9 “(13t) LABOR AND MANAGEMENT COUNCIL. The treatment of section 15.227 (17) of
10 the statutes and SECTION 9126 (5t) of this act take effect on July 1, 1998.”.

11 **1416.** Page 2067, line 13: after “(af)” insert “and (gh)”.

12 **1417.** Page 2067, line 14: before “(8c)” insert “(8b),”.

13 **1418.** Page 2067, line 15: delete that line and substitute “149.143, 149.145,
14 149.15 (2m) and (3) (f), 149.16 (title) and (1), 149.20, 185.981 (4t) (by SECTION 3133m),
15 185.983 (1) (intro.) (by SECTION 3134m), 601.41”.

16 **1419.** Page 2067, line 21: delete “1., 2. and 3., 619.123” and substitute “(by
17 treatment for temporomandibular disorders, as well as coverage of hospital charges
18 and SECTION 4830ec)”.

19 **1420.** Page 2067, line 25: delete “(by SECTION 4869f)” and substitute “(by
20 SECTION 4869m)”.

21 **1421.** Page 2068, line 2: after “(d)” insert “(by SECTION 4891r)”.

22 **1422.** Page 2068, line 3: delete “, 632.745 (1) (d), 632.785 (1) (intro.) and
23 635.254 (3)” and substitute “, 632.785 (1) (intro.)”.

1 **1423.** Page 2068, line 12: delete lines 12 to 15 and substitute:

2 “(4rcg) INSURANCE COVERAGE OF TREATMENT FOR TEMPOROMANDIBULAR DISORDERS
3 AS WELL AS HOSPITAL CHARGES AND ANESTHETICS FOR DENTAL CARE AND BREAST
4 RECONSTRUCTION. The treatment of sections 40.51 (8) (by SECTION 1324m) and (8m)
5 (by SECTION 1325m), 60.23 (25) (by SECTION 2178p), 66.184 (by SECTION 2210m),
6 111.91 (2) (n), 120.13 (2) (g) (by SECTION 2860f), 609.77, 609.78, 609.79 and 632.895
7 (11), (12) and (13) of the statutes and SECTION 9327 (3rcg) of this act take effect on
8 January 1, 1998.”.

9 **1424.** Page 2069, line 2: after that line insert:

10 **“SECTION 9436. Effective dates; military affairs.**

11 (1m) EMERGENCY MANAGEMENT. The treatment of sections 15.07 (2) (k), 15.315,
12 20.465 (3) (i), (j), (jt), (r) (title) and (t), 59.54 (8) (a) 4., 166.20 (1) (a), (2) (intro.), (4)
13 (a) and (b), (4m), (5) (a) 2. and 5., (5m), (7) (b), (7g) (a) and (e), (7m) (a) and (b), (8) (a),
14 (9) (a) 1. c., d. and e., 2. (intro.) and a. and 3. and (b) 1. (intro.) and a. and 2. and (11)
15 (dg), 166.21 (1) (b), (2) (e), (3) (a) 1. and 3., (b), (c) and (e), (4) and (5), 166.215 (3) and
16 895.483 (1) of the statutes, the repeal and recreation of sections 15.07 (1) (cm), 20.465
17 (3) (dt) and (jm), 166.20 (7) (a) (intro.), 166.21 (2m) (intro.), 166.215 (1) and (2) and
18 166.22 (3m) of the statutes and SECTION 9136 (1m) of this act take effect on July 1,
19 1998.”.

20 **1425.** Page 2069, line 16: substitute “September” for “January”.

21 **1426.** Page 2069, line 19: delete lines 19 and 20.

22 **1427.** Page 2070, line 8: delete “, (3b) and (3m)” and substitute “and (3b)”.

23 **1428.** Page 2070, line 18: after “(au)” insert “and (av)”.

24 **1429.** Page 2070, line 19: after that line insert:

1 “(7f) CLEANWATER FUND PRIORITY. The treatment of section 281.58 (8e) (cm) of the
2 statutes takes effect on July 1, 2001.”.

3 **1430.** Page 2071, line 6: after “(fq),” insert “29.092 (2) (em) and (kd) and (14)
4 (a) and (b),”.

5 **1431.** Page 2071, line 6: after “statutes” insert “, the renumbering and
6 amendment of section 29.24 of the statutes, the creation of section 29.24 (1) (b) of the
7 statutes”.

8 **1432.** Page 2071, line 6: delete “and 29.598” and substitute “, 29.598 and
9 943.13 (4m) (b)”.

10 **1433.** Page 2071, line 6: delete “and (fq)”.

11 **1434.** Page 2071, line 7: after that line insert:

12 “(10m) AID TO WISCONSIN LAKE SCHOONER EDUCATION ASSOCIATION. The repeal
13 and recreation of section 20.370 (5) (cq) of the statutes takes effect on July 1, 1999.”.

14 **1435.** Page 2071, line 7: before “and” insert “, the repeal and recreation of
15 section 20.370 (5) (fq) of the statutes”.

16 **1436.** Page 2071, line 10: after “(fm)” insert “and (fr)”.

17 **1437.** Page 2071, line 11: delete “118.40 (1), (2r), (3) (d)” and substitute
18 “118.40 (2r), (3) (am) and (d), (3m)”.

19 **1438.** Page 2071, line 16: after that line insert:

20 “(7x) OPEN ENROLLMENT. The treatment of section 121.84 (1) (a) of the statutes
21 takes effect on July 1, 1998.”.

22 **1439.** Page 2072, line 14: after that line insert:

1 “(3t) NONRESIDENTS AND PART-YEAR RESIDENTS. The treatment of section 71.06
2 (2s) (b) of the statutes and the renumbering and amendment of section 71.06 (2s) (by
3 SECTION 2261fm) of the statutes take effect on January 1, 1998.”.

4 **1440.** Page 2073, line 8: delete “71.045” and substitute “72.045”.

5 **1441.** Page 2073, line 10: after “(6m)” insert “, (13b)”.

6 **1442.** Page 2073, line 12: delete “78.49 (1) (a), 78.55 (2g), (2r) and (6), 78.58
7 (1) (a)” and substitute “78.49 (1) (a) and (b), 78.55 (2g), (2r), (5m) and (6), 78.58 (1)
8 (a) and (b) and (3)”.

9 **1443.** Page 2073, line 14: after “139.03 (2x) (a)” insert “and (d)”.

10 **1444.** Page 2073, line 18: delete “78.58 (3),”.

11 **1445.** Page 2073, line 19: after that line insert:

12 “(7m) FARM LOSS LIMITS. The treatment of section 71.05 (6) (a) 10. of the statutes
13 takes effect on January 1, 1999.”.

14 **1446.** Page 2074, line 3: after “TELECOMMUNICATIONS” insert “AND CALLING
15 CARDS”.

16 **1447.** Page 2074, line 9: delete lines 9 and 10.

17 **1448.** Page 2074, line 13: delete lines 13 to 15.

18 **1449.** Page 2075, line 8: after that line insert:

19 “(18t) BUSINESS TAX REGISTRATION. The treatment of sections 73.03 (51), 77.52
20 (7), (9), (12) and (17m) (b) 7., 77.53 (9) (by SECTION 2392mm) and (9m), 78.10 (1), (2),
21 (3) and (4), 78.47, 78.48 (1), (2), (3) and (4), 78.56, 78.57 (1), (2), (3) and (4), 78.77 (1),
22 139.09, 139.81 (1) and 168.12 (7) of the statutes and 1995 Wisconsin Act 27, section
23 9148 (3z) (b), takes effect on January 1, 1998.”.

1 **1450.** Page 2075, line 8: after that line insert:

2 “(18pq) VENDING MACHINE PERMITS. The treatment of sections 20.566 (1) (ge),
3 20.835 (4) (ga) and 77.54 (9m) and chapter 139 (title) and subchapter VI of chapter
4 139 of the statutes takes effect on January 1, 1998.”.

5 **1451.** Page 2075, line 8: after that line insert:

6 “(18n) TIME-SHARE PROPERTY. The treatment of sections 77.51 (4) (c) 6., 77.52 (2)
7 (a) 1. and 77.54 (30) (d) of the statutes takes effect on the first day of the 2nd month
8 beginning after publication.”.

9 **1452.** Page 2075, line 8: after that line insert:

10 “(18q) RAILROAD MATERIALS. The treatment of sections 77.54 (44) of the statutes
11 takes effect on July 1, 1998.”.

12 **1453.** Page 2075, line 8: after that line insert:

13 “(18e) SALES TAX ON FUEL TAX REFUNDS. The treatment of section 77.51 (4) (a) 4.
14 and (15) (a) 4. of the statutes takes effect on the first day of the 2nd month beginning
15 after publication.”.

16 **1454.** Page 2075, line 8: after that line insert:

17 “(18f) CIGARETTE TAX REFUNDS. The treatment of section 139.323 (intro.) of the
18 statutes takes effect on September 1, 1997.”.

19 **1455.** Page 2075, line 8: after that line insert:

20 “(18h) COMPUTERS. The treatment of sections 70.11 (39), 76.03 (1) and 76.81 of
21 the statutes takes effect on January 1, 2000.”.

22 **1456.** Page 2075, line 14: after that line insert:

1 “(1tq) IGNITION INTERLOCK DEVICE PROGRAM. The treatment of sections 340.01
2 (23v), 343.10 (2) (a) 1. and (e), (5) (a) 1., 3. and 4. and (7) (cm), 343.30 (1q) (b) 2., 3.
3 and 4., 343.305 (4) (b) and (c) and (10) (b) 2., 3. and 4., 343.38 (5), 343.39 (3), 343.44
4 (2g) (a), (b), (c), (d) and (e) and (2m) (a), (b) and (c), 347.413 (1) and (3) and 347.50 (1t)
5 of the statutes and SECTION 9349 (4gq) of this act take effect on the first day of the
6 9th month beginning after publication.”.

7 **1457.** Page 2075, line 16: delete “341.10 (3)”.

8 **1458.** Page 2075, line 19: after “(4)” insert “(a)”.

9 **1459.** Page 2075, line 19: delete “section” and substitute “sections 341.10 (3)
10 and”.

11 **1460.** Page 2075, line 20: after that line insert:

12 “(3b) SUPPLEMENTAL TITLE FEE. The treatment of sections 20.855 (4) (f), 25.40 (1)
13 (a) 9., 25.46 (1m) and (20) and 342.14 (3m) of the statutes takes effect retroactively
14 to July 1, 1997.”.

15 **1461.** Page 2075, line 23: delete lines 23 to 25.

16 **1462.** Page 2076, line 1: delete lines 1 and 2 and substitute:

17 “(4mg) MASS TRANSIT OPERATING ASSISTANCE. The treatment of sections 20.395
18 (1) (dq), (dr), (ds), (dt) and (du) and 85.20 (4m) (em) 1. (by SECTION 2481png), (4s) (by
19 SECTION 2481pt) and (7) (a) (intro.) (by SECTION 2481pw) of the statutes takes effect
20 on July 1, 1999.”.

21 **1463.** Page 2076, line 2: after that line insert:

22 “(5g) REGISTRATION OF LEASED VEHICLES. The treatment of sections 27.014 (1c)
23 and (2) (intro.), (b), (c) and (d), 341.04 (1) (a) and (c), 341.08 (2) (am), (bm) and (e) and
24 (4m), 341.09 (4) (by SECTION 3973c), 341.10 (1), 341.14 (1q), (1r) (a), (6r) (bm) and (7),

1 341.145 (1g) (c) and (d) and (4) (by SECTION 3998m), 341.26 (2) (m), 341.28 (2) (b) (by
2 SECTION 4011m) and (7) (a) (by SECTION 4012m) and (b), 341.305 (2) (bm), 341.31 (1)
3 (b) 2., 5. and 6., (2) (a), (4) (a) and (b) and (5), 341.33 (3), 341.40 (2), 341.65 (1) (am),
4 342.30 (1), (1c), (3) (a) and (4) (a), 342.40 (1) and (1c), 343.51 (1), 344.01 (2) (cm),
5 344.02 (1), 344.14 (2m), 346.175 (1) (a), 346.195 (1), 346.205 (1), 346.457 (1), 346.465
6 (1), 346.485 (1), 346.505 (3) (a), 346.665, 346.94 (13), 346.945 (1) (a), 349.13 (1), (1b)
7 and (2) (intro.) and 349.137 (1) (a) and (3) (c) 2. e., (f) and (h) of the statutes and 1995
8 Wisconsin Act 445, sections 14 and 23 (1), the renumbering of section 346.01 of the
9 statutes, the renumbering and amendment of section 341.01 (2) of the statutes, the
10 amendment of sections 341.09 (2m) (a), 341.10 (3) and 341.14 (6r) (g) (intro.) of the
11 statutes, the creation of sections 341.01 (2) (b) and 346.01 (2) of the statutes and
12 SECTIONS 9149 (3bg) and 9349 (5mg), (6mg) and (7g) of this act take effect on January
13 1, 1998.”.

14 **1464.** Page 2076, line 15: delete “(4), (5), (6) (b)” and substitute “(5), (6)”.

15 **1465.** Page 2076, line 16: delete that line and substitute “takes effect”.

16 **1466.** Page 2076, line 17: after that line insert:

17 “(8e) LATE FEES.

18 (a) The treatment of section 343.21 (1m) of the statutes takes effect on
19 February 1, 1998.

20 (b) The treatment of section 341.255 (5) of the statutes takes effect on August
21 1, 1998.”.

22 **1467.** Page 2076, line 20: after that line insert:

23 “(8mm) VEHICLE REGISTRATION PERIOD. The treatment of sections 341.13 (1)
24 (intro.), 341.145 (4) (by SECTION 3998q), 341.16 (2m), 341.17 (1), 341.27 (1), (2) and

1 (3) (intro.) and (a), 341.28 (1), (2) (intro.) and (b) (by SECTION 4011q) and (7) (a) (by
2 SECTION 4012q), 342.15 (4) (a) and 342.34 (1) (c) of the statutes takes effect on the first
3 day of the 15th month beginning after publication.”.

4 **1468.** Page 2076, line 21: delete lines 21 to 24.

5 **1469.** Page 2077, line 1: delete lines 1 and 2 and substitute:

6 “(8nm) TEMPORARY OPERATION PLATES. The treatment of sections 341.04 (1)
7 (intro.) and (a), 341.09 (2) (c) and (g), (2m) (b) and (c), (2r) and (9), 342.06 (1) (k) and
8 885.237 (title) of the statutes, the renumbering of section 885.237 of the statutes, the
9 renumbering and amendment of section 341.09 (1) and (2m) (a) of the statutes, the
10 creation of sections 341.09 (1) (b) and (c) and (2m) (a) 1. b. and 2. and 885.237 (2) of
11 the statutes and SECTION 9349 (9sm) of this act take effect on July 1, 1998.”.

12 **1470.** Page 2077, line 8: after that line insert:

13 “(2m) PHARMACY INTERNSHIP BOARD. The treatment of sections 15.915 (3), 19.42
14 (13) (d), 36.25 (20), 450.04 (3) (intro.), (a) and (b) and 450.045 of the statutes takes
15 effect on July 1, 2001.”.

16 **1471.** Page 2077, line 8: after that line insert:

17 “(2g) DISTINGUISHED CHAIR OF MILITARY HISTORY. The treatment of section 36.25
18 (42) of the statutes takes effect on July 1, 1998.”.

19 **1472.** Page 2077, line 14: delete “13.01 (3m),”.

20 **1473.** Page 2077, line 15: delete “, (h) and (k), 20.865 (4) (c), 25.40 (2) (b) 20p.”
21 and substitute “and (h)”.

22 **1474.** Page 2077, line 16: delete the material beginning with “June” and
23 ending with “later.” on line 19, and substitute “July 1, 1999.”.

